

ALABAMA LAWS
(and Joint Resolutions)
OF THE
LEGISLATURE OF ALABAMA
PASSED AT THE
FIRST EXTRAORDINARY SESSION, 1991
VOL. 1



GUY HUNT, Governor
JIM FOLSOM, JR., Lieutenant Governor
RYAN deGRAFFENRIED, President Pro-Tem of the Senate
JAMES S. CLARK, Speaker of the House
JAMES M. CAMPBELL, Speaker Pro-Tem of the House
MCDOWELL LEE, Secretary of the Senate
GREG PAPPAS, Clerk of the House

WITH AN INDEX PREPARED BY THE
LEGISLATIVE REFERENCE SERVICE

The undersigned, as Secretary of State of the State of Alabama, does hereby certify that this book contains bills and joint resolutions enacted at the 1991 First Extraordinary Session of the Legislature of Alabama and is the official publication of such acts.

Billy Joe Camp
Secretary of State

Good laws lead to the making of better ones; bad ones bring about worse. As soon as any man says of the affairs of the State 'What does it matter to me?' the State may be given up for lost.

Jean Jacques Rousseau
Social Contract

The public's right to know about their government's activities is a sacred one protected by the United States Constitution, the Alabama Constitution, and the Code of Alabama.

But that right carries a responsibility. If citizens do not actively participate in and monitor the business of government, then as the eighteenth-century French philosopher Rousseau pointed out, the very existence of the free state is in jeopardy.

In keeping with that belief, Alabama law requires that the Secretary of State publish and make available all the acts of the Alabama Legislature. Contained within this volume are the acts passed in the 1991 first extraordinary session. Many people worked to make this volume possible including McDowell Lee, Secretary of the Senate; Greg Pappas, Clerk of the House of Representatives; Joyce Bishop and Julie Saint, enrolling and engrossing clerks; Dodie Pappanastos and Helen Thorington, technical proofreaders; Dannie Shockley, Recording Secretary for the Governor; Louis Greene, Director of the Legislative Reference Service; and Hannah M. Bates and Rosemary Judkins of the Secretary of State's office.

Freedom's best protection is an informed citizenship; therefore, we take pride in making these new laws accessible to you.

Billy Joe Camp
Secretary of State

ALABAMA LAWS
And Joint Resolutions
FIRST EXTRAORDINARY SESSION, 1991

Act No. 91-733 S.J.R. 4 — Senators Denton, Preuitt, Mitchell,
Bennett, Foshee, Horn, Owens,
Barron, Hale, Bedsole, Waggoner
and B. Smith

SENATE JOINT RESOLUTION

**CREATING A JOINT INTERIM LEGISLATIVE COMMITTEE
TO STUDY PRICE FIXING AND GOUGING BY OIL JOBBERS.**

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint interim legislative committee to study possible price fixing by oil jobbers. The committee shall be composed of three members of each house, to be appointed by the presiding officer of each house. The chairman and vice chairman of the committee shall be elected at the first meeting by the members of the committee. The committee shall study all facets of possible price fixing and price gouging of the general public by oil jobbers.

Upon the request of the chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work. The committee shall report its findings, conclusions and recommendations to the legislature not later than the fifth legislative day of the 1992 Regular Session. Each member of the committee shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the legislature, upon warrants drawn on the state comptroller upon requisitions signed by the committee's chairman; provided, however, that members shall not receive additional legislative compensation or per diem when the legislature is in session or if a member is being paid any other payments on the same dates for attendance of other state business. The total expenditures of the committee shall not exceed \$2,500.00. The committee shall have subpoena power.

Approved September 11, 1991

Time: 11:55 A.M.

Act No. 91-734

H. 18 — Rep. Clay

AN ACT

To propose an amendment to the Constitution of Alabama of 1901 relative to the compensation of the judge of probate and other county officers of Macon County.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama of 1901 is proposed and shall become valid as a part of the Constitution when all requirements of Amendment 425 of the Constitution of Alabama of 1901 are fulfilled:

PROPOSED AMENDMENT

The legislature may hereafter, from time to time, by general, special or local laws, fix, regulate and alter the fees, commissions, allowances or salaries to be charged or received by the judge of probate and other county officers of Macon County, and may put such officers on a salary basis and provide for the operation of their offices on such basis.

Section 2. The provisions of this amendment shall have no force and effect unless it shall first be approved by at least three-fifths vote of the elected members of each house and unanimously approved by the local constitutional amendment commission.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in each newspaper qualified to run legal notices in the county affected.

Section 4. An election upon the proposed amendment is ordered to be held at the next general, special, constitutional or county election in Macon County. The election shall be held in accordance with the provisions of Amendment 425 to the Constitution of 1901, and the general election laws of this state.

CONSTITUTIONAL AMENDMENT

Passed the House September 11, 1991

Passed the Senate September 13, 1991

Act No. 91-735

H. 53 — Rep. Venable

AN ACT

Proposing an amendment to the Constitution of Alabama of 1901, providing for the election of the members of the board of education in the City of Tallassee, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as a part thereof when approved by a majority of the qualified electors voting thereon and in accordance with Sections 284, 285 and 287 of the Constitution of 1901 as amended:

PROPOSED AMENDMENT

This legislature may by local act provide for the election of the members of the board of education of the City of Tallassee in Elmore and Tallapoosa Counties.

Section 2. An election upon the proposed amendment is ordered to be held at the next general, special, primary or constitutional amendment election after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and the general election laws of this state.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the state. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

CONSTITUTIONAL AMENDMENT

Passed the House September 11, 1991

Passed the Senate September 13, 1991

Act No. 91-736

S. 12 — Senator Foshee

AN ACT

To repeal Section 36-15-5, Code of Alabama 1975, and to provide for additional personnel and further duties of the Office of Attorney General and to establish an additional means of funding therefor.

Be It Enacted by the Legislature of Alabama:

Section 1. Legislative Findings, Statutory Construction and Declaration of Policy.

The Legislature hereby finds, determines, and declares:

(a) that an increasingly broad and complex range of legal services are continually required to be performed by the Office of Attorney General,

(b) that the State of Alabama and its governmental entities, agencies, institutions, and departments have an ever continual expanding need for legal representation,

(c) that the rapidly escalating costs of retaining private counsel is a matter of much public and private debate as well as a matter of grave concern to this Legislature as evidenced by the adoption of Senate Joint Resolution 6 by both Houses of the Legislature on the 15th day of January, 1991,

(d) that the Office of Attorney General in compliance therewith has provided to each member of this Legislature its first report which reveals that the expenditures of public funds for private attorneys is enormous and should be curtailed whenever possible,

(e) that the expenditure of public funds for private attorneys far exceeds the budgets which have been heretofore presented or adopted for the Office of the Attorney General,

(f) that there exists an extraordinary need to provide the Office of the Attorney General with additional personnel and,

(g) that such need is and ought to be intimately affected with the public interest.

(h) To this end, the Legislature intends to provide an additional means whereby the Office of the Attorney General is afforded the opportunity to attract and employ additional exceptional, efficient and productive personnel to perform the ever expanding duties of that office.

(i) The provisions of this act are to be construed so as to accomplish these purposes and to promote the same which are hereby declared to be the public policy of this State.

Section 2. Statute Repealed:

Section 36-15-5 of the Code of Alabama 1975 is hereby repealed.

Section 3. Deputy Attorneys General

(a) The position of deputy attorney general of Alabama is hereby created and shall be established.

(b) The attorney general is hereby authorized to employ, in such a manner or number as the attorney General deems necessary, deputy attorneys general whose compensation, salaries,

expenses and benefits shall be paid from funds which may be now or hereafter available to the attorney general.

(c) Such deputy attorneys general shall be appointed by and shall serve at the pleasure of the attorney general and shall perform such duties and exercise such powers as the attorney general may direct.

(d) No person shall be appointed a deputy attorney general who is not authorized to practice law in the State of Alabama.

(e) Any attorney serving in the classified service of the State of Alabama may be considered by the attorney general for appointment as a deputy attorney general. In the event that an attorney serving in the classified service of the State of Alabama shall accept appointment as a deputy attorney general and shall later be removed or resign from the position of deputy attorney general, such attorney shall revert to his or her former position in which he or she held status in the classified service. Such reversion shall be without loss of salary or other benefits which would have accrued to such attorney and to which such attorney would have otherwise been entitled had he or she remained within the classified service.

(f) A deputy attorney general shall be compensated at a rate to be designated by the attorney general. When designating salaries, the attorney general shall choose from among the salary ranges set by the State Personnel Board and published in the State of Alabama Compensation Plan. The establishment of the range and step within the range of the starting salary shall be at the discretion of the attorney general upon the appointment of each deputy attorney general and may vary between persons so appointed. When so designated, the salaries, expenses and benefits of a deputy attorney general shall be paid from the State Treasury in the same manner that the salary and expenses of employees in the classified service are paid.

Section 4. Chief Deputy Attorney General.

(a) The office of chief deputy attorney general is hereby created and shall be established. The chief deputy attorney general shall be appointed by the attorney general, shall serve at the pleasure of the attorney general and shall be a commissioned officer of the State of Alabama. The chief deputy shall possess the qualifications required by law for election as attorney general.

(b) The chief deputy attorney general shall have all the power and authority heretofore or hereafter conferred by law on the attorney general, which he or she may exercise in the absence of the attorney general. The chief deputy shall also perform such duties and exercise such powers as the attorney general may direct.

(c) The chief deputy attorney general shall be entitled to receive compensation, salaries, expenses or benefits in the same manner as provided for deputy attorneys general. The compensation, salary, expenses and benefits of the chief deputy shall be paid from the state treasury in the same manner that the salary or expenses of employees in the classified service are paid.

Section 5. Special Administrative Assistants.

(a) The position of special administrative assistant to the Attorney General is hereby created and established.

(b) The attorney general is hereby authorized to appoint or employ in such manner as the attorney general deems necessary five special administrative assistants who shall perform such duties and exercise such powers as the attorney general may direct. Such special administrative assistants shall serve at the pleasure of the attorney general. The compensation, salaries, expenses or benefits for such special administrative assistants shall be paid from funds which may be now or hereafter available to the attorney general and in such amounts and manner as that provided for deputy attorneys general under the provisions of this Act.

(c) Any person serving in the classified service of the State of Alabama may be considered by the attorney general for appointment to the position of special administrative assistant to the attorney general. In the event anyone serving in the classified service of the State of Alabama shall accept appointment as a special administrative assistant to the attorney general and shall later be removed or resign from the position of special administrative assistant to the attorney general, such person shall revert to his or her former position in which he or she held status in the classified service. Such reversion shall be without loss of salary or other benefits which would have accrued to such person and to which he or she would have been entitled had he or she remained within the classified service.

Section 6. Official Court Reporters and Paralegals of the Attorney General.

(a) The Office of the Official Court Reporter of the Attorney General's Office is hereby created and shall be established.

(b) The attorney general is hereby authorized to employ in such manner or number as the attorney general deems necessary and as approved by the State Personnel Board, official court reporters whose compensation, salaries, expenses or benefits shall be paid from funds which may be now or hereafter available to the attorney general. Such court reporters shall be appointed by and serve at the pleasure of the attorney general.

(c) Such official court reporters shall be officers of the courts of this state and shall have the power to administer oaths within any grand jury empanelled in this state or to administer oaths and take testimony as other official court reporters or officers pursuant to The Alabama Rules of Procedure, adopted from time to time by the Supreme Court of Alabama, or as may otherwise be provided by law.

(d) Before any person shall enter upon the duties of the Office of Official Court Reporter for the Attorney General's Office such person must subscribe to an oath to support the Constitution and laws of the State of Alabama, and to faithfully perform the duties of such office.

(e) When accompanied by the attorney general or a member of the attorney general's staff, such official court reporter shall attend in person any session of any grand jury empanelled in this state and in every matter or proceeding before such grand juries take full stenographic notes of the testimony in such proceedings and shall note the order in which all documentary or other physical evidence is introduced.

(f) Such official court reporter shall collect, store, maintain, keep and be the official custodian of all grand jury testimony or evidence so taken before such grand juries. Such official court reporter shall take appropriate action to insure that any such grand jury testimony or evidence shall be privileged and not subject to public or private disclosure unless authorized in accordance with applicable law.

(g) The original stenographic notes of such official court reporter, as well as any recordings or transcriptions of each proceeding or matter shall be preserved by such official court reporter and shall be treated as part of the official records of the attorney general, and upon the resignation or removal of such official court reporter from office shall be turned over to the attorney general or to some other person so designated by the attorney general.

(h) The attorney general's official court reporter or reporters shall be entitled to compensation, salaries, expenses and other benefits commensurate with the compensation, salaries, expenses and benefits provided by law for court reporters appointed by judicial officers or serving in the judicial department of this state.

The salaries, expenses or benefits of the attorney general's official court reporter or reporters shall be paid from funds which may be now or hereafter available to the attorney general and shall be paid from the State Treasury in the same manner that the salary and expenses of employees in the classified service are paid.

(i) The attorney general is hereby authorized to employ in such manner a number as the attorney general deems necessary

paralegal employees whose compensation, salaries and expenses or benefits shall be paid from funds which may be now or hereafter available to the attorney general and in such amounts and manner as that provided for special administrative assistants under the provisions of this act. Such paralegal employees shall be appointed by and serve at the pleasure of the attorney general.

Section 7. Grants, Other Sources of Funds.

(a) For the purpose of performing any functions, duties or responsibilities of the Office of the Attorney General or for the purpose of implementing any provision of this act the attorney general may receive, accept, expend or utilize any and all money or property of whatever nature, kind or description which may now or hereafter be available to the attorney general for such purposes.

(b) The attorney general may receive, accept, utilize, expend and administer any grants, gifts, donations, reimbursements or fees from any public, quasi-public or private source.

(c) The attorney general may enter into agreements and contracts with the United States of America, the State of Alabama, or any of the respective agencies, institutions, departments, authorities, agents or employees of the above in order to implement the provisions of this act or to defray and recover the costs of representing any of the above; provided, any such agreements or contracts with any agencies, institutions, departments, authorities, agents or employees of the State of Alabama whose department head or chief executive officer is appointed by the Governor, must be approved by the Governor.

Section 8. Attorney General's Litigation Support Fund.

(a) There is hereby established in the state treasury a special fund to be known as the Attorney General's Litigation Support Fund.

(b) The said Fund may consist of any and all monies designated by a court order as reasonable attorney fees and related expenses received by the attorney general pursuant to the provisions of this act as a result of any fees, fines, restitution, forfeitures, penalties, costs, interest or judgments, collected pursuant to any criminal or civil litigation or any administrative proceedings or in settlement of any claim asserted by or against the people of Alabama, the State of Alabama or any of its departments, agencies, institutions, officers, employees or political subdivisions thereof; provided, however, any such fees, fines, restitution, forfeitures, penalties costs, interest or judgements earmarked by statute or rule of the Supreme Court shall not be affected by this act unless the recipient entity of such fees, fines, restitution,

forfeitures, penalties, costs, interest or judgements agrees by written contract to designate the receipt of such or a portion thereof to the attorney general.

(c) The attorney general shall have the authority to expend monies appropriated by the legislature from the Fund for the purpose of implementing any provisions of this Act or for the performance of any of the powers, functions, duties and responsibilities of the Office of the Attorney General.

(d) The said Fund shall be placed under the management or administration of the attorney general for the purpose of implementing any provision of this act or for the purpose of performing any of the functions, duties, powers and responsibilities of the Office of the Attorney General and all monies deposited in the Fund are hereby available for appropriation to the Office of the Attorney General. Such appropriations shall be budgeted and allotted pursuant of article 4 of chapter 4 of Title 41 of the Code of Alabama 1975.

(e) The appropriation of these monies shall be in addition to any monies appropriated to the Office of the Attorney General from the State General Fund or from any other sources.

(f) Neither the attorney general, nor any employee of that office, shall have any financial interest in the investment of monies in the Fund nor receive any commission with respect thereto.

(g) It shall be the duty of the Attorney General to keep detailed permanent records of all expenditures and disbursements from such Fund.

Section 9. Retention of Powers.

The attorney general shall have and retain all of the powers, duties, and authority heretofore granted or authorized by the constitution, statutory law, or the common law.

Nothing contained in this act shall be construed so as to in any way restrict, limit or abridge the powers, duties, or authority of the attorney general as heretofore authorized by the constitution, statutory law, or the common law.

Section 10. Repeal of Conflicting Laws.

All laws or parts of laws in conflict with the provisions of this act are hereby repealed to the extent that they are in conflict.

Section 11. Severability Clause.

The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. Effective Date.

This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved September 13, 1991

Time: 3:20 P.M.

Act No. 91-737

S. 13 — Senator Foshee

AN ACT

To provide for the appointment of investigators for the office of the attorney general; and to provide for the hiring, salaries, expenses, authority and duties of such investigators.

Be It Enacted by the Legislature of Alabama:

Section 1. The attorney general is hereby authorized to appoint a chief investigator for such office and up to seven additional investigators as the attorney general may from time to time deem necessary. Such investigators shall serve at the pleasure of the attorney general.

Section 2. The compensation, salaries, expenses and benefits for such investigators shall be provided from funds which may be now or hereafter available to the attorney general.

Section 3. The chief investigator and other investigators appointed pursuant to the provisions of this act shall be compensated at a rate to be set by the attorney general. In setting the rate of compensation the attorney general may take into consideration that amount paid to other law enforcement officers of the state of Alabama, including but not limited to those officers of corresponding duties, lengths of service and responsibilities in the state department of public safety.

When designating the salaries, the attorney general shall choose from among the salary ranges set by the state personnel board for employees of the Alabama department of public safety.

The establishment of the range and step within the range of the starting salary shall be at the discretion of the attorney general upon the appointment of each investigator and may vary between persons so appointed.

All investigators appointed pursuant to the provisions of this act shall be entitled to all benefits provided employees of the Alabama department of public safety, including but not limited to participation in any retirement plan afforded state troopers. Provided, however, such investigators shall be appointed by and serve at the pleasure of the attorney general.

The salaries, expenses and benefits of the investigators appointed pursuant to the provisions of this act shall be paid from the state treasury in the same manner that the salaries, expenses and benefits of employees in the classified service are paid.

Section 4. Investigators appointed pursuant to the provisions of this act shall have all of the powers vested in deputy sheriffs and all other law enforcement officers of the state of Alabama, including but not limited to, the powers of arrest and the power to serve any and all process and shall perform such duties, responsibilities and function as may be assigned by the attorney general.

Section 5. No person shall serve as an attorney general's investigator who has not met the minimum standards established for law enforcement officers by the Alabama peace officers' standards and training commission or such other standards as may be hereafter provided by law.

Investigators appointed pursuant to the provisions of this act shall meet such other additional standards as the attorney general may adopt.

Section 6. All laws or parts of laws which conflict with this act are hereby repealed.

Section 7. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved September 13, 1991

Time: 3:22 P.M.

Act No. 91-738

H. 8 — Rep. Harper

AN ACT

To make appropriations for the ordinary expenses of the executive, legislative and judicial agencies of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1992.

Be It Enacted by the Legislature of Alabama:

SECTION 1. The monies in Section 2 are appropriated from the named funds for the 1991-92 fiscal year to the state agencies indicated, as the amounts to be used to pay the expenditures of the named agencies, and are in lieu of all monies appropriated for these purposes in other sections of the Alabama Statutes.

For the purpose of this Act, the amounts herein for expenditures are listed by programmatic area and the total for all programs are shown by the source of funds. It is intended that only the named funds be appropriated to the agencies concerned; and that the following definitions shall be applicable:

(a) "Appropriation Total" shall mean the aggregate total of all fund sources.

(b) "Program" shall mean specific governmental services required to achieve a specific objective. A program shall be directed to meeting the need of an identified clientele, or group of recipients or beneficiaries.

(c) "Capital Outlay" shall mean expenditures which result in the acquisition and/or addition to items, such as land or buildings, which have an appreciable and calculable period of usefulness in excess of one year, and shall be expended only for such purposes.

(d) "Debt Service" shall mean an expenditure for the payment of interest and principal on all bonded debt obligations of the State, and shall be expended only for such purposes.

(e) "Federal and Local Funds" shall mean all gifts, grants, contributions, or entitlements, including grants by the Congress of the United States, municipalities or counties.

SECTION 2. There is hereby appropriated for the ordinary expenses of the executive, legislative, and judicial agencies of the State, for other functions of government, for the principal and interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1992, to be paid out of any monies hereinafter specified, from such other funds and accounts as may be designated, or so much thereof as may be necessary, and the total amount to be expended for the items for which the appropriation is herein made shall not exceed the amount provided therefor, except as provided in the Budget Management Act of 1976, Sections 41-19-1 through 12, Code of Alabama 1975. Provided, however, that regardless of the ending date of any pay period which has been or may be established by the Legislature for the payment of salaries of state employees, the entire payment due shall be made from the fiscal year's appropriation in which the pay date falls.

	Fund Sources Included In Appropriation Total		
	General Fund	Earmarked Funds	Appropriation Total
2A. LEGISLATIVE:			
1. EXAMINERS OF PUBLIC ACCOUNTS, DEPARTMENT OF:			
(a) Legislative Support — Audit Services Program.....			11,083,642
SOURCE OF FUNDS:			
(1) State General Fund	10,583,642		
(2) Federal Funds		500,000	
Total Department of Exam- iners of Public Accounts	10,583,642	500,000	11,083,642
2. LAW INSTITUTE, ALA- BAMA:			
(a) Support Of Other Educa- tional Activities Program			394,752
SOURCE OF FUNDS:			
(1) State General Fund	394,752		
Total Alabama Law Institute ..	394,752		394,752
3. LEGISLATIVE COUNCIL:			
(a) Legislative Operations and Support Program			242,000
SOURCE OF FUNDS:			
(1) State General Fund	242,000		
Pursuant to Section 29-6-1 et seq., Code of Alabama 1975.			
Total Legislative Council	242,000		242,000
4. LEGISLATIVE FISCAL OFFICE:			
(a) Legislative Operations and Support Program (to include program review)			1,068,824
SOURCE OF FUNDS:			
(1) State General Fund	1,068,824		

Total Legislative Fiscal Office ...	<u>1,068,824</u>	<u>1,068,824</u>
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5. LEGISLATIVE REFERENCE SERVICE:

(a) Legislative Operations and Support Program		1,371,299
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SOURCE OF FUNDS:

(1) State General Fund	<u>1,371,299</u>	
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Total Legislative Reference Service	<u>1,371,299</u>	<u>1,371,299</u>
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6. LEGISLATURE:

(a) Legislative Operations and Support Program		10,374,591
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It is the intent of the Legislature that (1) at least \$30,000 shall be allocated for the Senate Finance and Taxation Committee, \$30,000 shall be allocated for the Office of the Senate Pro Tempore, and \$30,000 shall be allocated for the Senate Rules Committee, (2) at least \$90,000 shall be allocated for the Ways and Means Committee, the House Rules Committee and the Office of the Speaker of the House, (3) \$7,000 shall be allocated to the permanent municipal government committee as required by Act 90-478, and (4) at least \$350,000 shall be allocated for a permanent legislative committee on reapportionment as required by Act 90-388.

The appropriation to the Legislature shall be expended under the provisions set forth in Section 29-1-22, Code of Alabama 1975.

(b) Legislative Computer Center		1,500,000
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These funds shall be expended by the Secretary of the Senate and the Clerk of the House of Representatives for facilities and data processing equipment to upgrade the Legislative Computer Center.

SOURCE OF FUNDS:

(1) State General Fund	<u>11,874,591</u>	
Total Legislature	<u>11,874,591</u>	<u>11,874,591</u>

7. LEGISLATURES, NATIONAL CONFERENCE OF STATE:

(a) Legislative Operations and Support Program		85,775
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SOURCE OF FUNDS:

(1) State General Fund	<u>85,775</u>	
Total National Conference of State Legislatures	<u>85,775</u>	<u>85,775</u>

2B. JUDICIAL:

1. COURT OF CIVIL APPEALS:

(a) Court Operations Program		1,428,659
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SOURCE OF FUNDS:

(1) State General Fund	<u>1,365,222</u>	
(2) State General Fund — Act 90-111, Judicial Compensation Report.....	<u>63,437</u>	
Total Court of Civil Appeals	<u>1,428,659</u>	<u>1,428,659</u>

2. COURT OF CRIMINAL APPEALS:

(a) Court Operations Program		2,354,069
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SOURCE OF FUNDS:

(1) State General Fund	<u>2,248,341</u>	
(2) State General Fund — Act 90-111 Judicial Compensation Report.....	<u>105,728</u>	

Total Court of Criminal Appeals.....	2,354,069		2,354,069
3. JUDICIAL INQUIRY COMMISSION:			
(a) Administrative Services Program.....			128,005
SOURCE OF FUNDS:			
(1) State General Fund	128,005		
Total Judicial Inquiry Commission.....	128,005		128,005
4. JUDICIAL RETIREMENT FUND:			
(a) Retirement Systems Program.....			1,380,000
SOURCE OF FUNDS:			
(1) State General Fund	1,380,000		
Total Judicial Retirement Fund.....	1,380,000		1,380,000
5. SUPREME COURT:			
(a) Court Operations Program..			4,781,642
SOURCE OF FUNDS:			
(1) State General Fund	4,591,332		
(2) State General Fund — Act 90-111, Judicial Compensation Report.....	190,310		
Total Supreme Court	4,781,642		4,781,642
6. SUPREME COURT MARSHAL/LIBRARY:			
(a) Court Operations — Library Service Program			1,007,665
SOURCE OF FUNDS:			
(1) State General Fund	968,165		
(2) Departmental Receipts.....		39,500	
Total Supreme Court Marshal/Library.....	968,165	39,500	1,007,665
7. UNIFIED JUDICIAL SYSTEM:			

(Administrative Office of
Courts)

(a) Court Operations Program .	68,914,853
(b) Administrative Services Program.....	3,968,845
(c) Mandatory Drug Treat- ment Program	594,773
(d) DUI Referral Program.....	73,574
(e) Fringe Benefit Program, Estimated	380,000
(f) Court Equipment and Court Security Program	1,120,000

SOURCE OF FUNDS:

(1) State General Fund	70,585,759		
(2) State General Fund — Act 90-111, Judicial Compensa- tion Report.....	3,237,517		
(3) State General Fund — Act 90-474	228,761		
(4) State General Fund — Social Security-County Judicial, Estimated.....	380,000		
(5) State General Fund Transfer — Juvenile Justice Coordinating Council, in accordance with Act 90-764..	20,000		
(6) Federal and Local Funds...		600,008	
Total Unified Judicial System.	74,452,037	600,008	75,052,045

2C. EXECUTIVE:

1. ACADEMY OF HONOR,
ALABAMA:

(a) Historical Resources Management Program.....	2,444
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SOURCE OF FUNDS:

(1) State General Fund	2,444
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As provided in Section 41-11-
6, Code of Alabama 1975,
and an additional amount.

Total Alabama Academy of Honor	2,444	2,444
2. ACCOUNTANCY, ALABAMA STATE BOARD OF PUBLIC:		
(a) Professional and Occupational Licensing and Regulation Program.....		493,470
SOURCE OF FUNDS:		
(1) Alabama State Board of Public Accountancy Fund.....	493,470	
As provided in Section 34-1-22, Code of Alabama 1975. In addition to the amounts appropriated hereinabove to the State Board of Public Accountancy, there is hereby appropriated such an amount as may be necessary to pay the refund of any application for license which may have been rejected by the Board or withdrawn by request of applicant.		
Total Alabama State Board of Public Accountancy.....	493,470	493,470
3. ADJUSTMENT, BOARD OF:		
(a) Special Services Program..		500,375
SOURCE OF FUNDS:		
(1) State General Fund	11,572	
For the State General Fund Contribution to the total expenditure of \$1,000,000 pursuant to Section 41-9-73, Code of Alabama 1975.		
(2) State General Fund, Estimated	482,149	
For expenditures as provided in Section 31-3-2 and Section 36-30-2, Code of Alabama 1975.		

(3) State General Fund — Administrative Costs	6,654		
Total Board of Adjustment	500,375		500,375

4. AERONAUTICS, DEPARTMENT OF:

(a) Airport Development and Aeronautical Support Program.....			958,711
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SOURCE OF FUNDS:

(1) State General Fund	50,000		
(2) Airport Development Fund — Aviation Fuel Tax...		889,631	
As provided by Section 4-2-42, Code of Alabama 1975.			
(3) Airport Development Fund — Federal Funds		19,080	
Total Department of Aeronautics	50,000	908,711	958,711

5. AGING, COMMISSION ON:

(a) Planning and Advocacy for the Elderly Program			16,575,741
(b) Economic Assistance Program			12,153,405

SOURCE OF FUNDS:

(1) State General Fund	1,577,569		
(2) State General Fund — Medicaid Waiver	2,972,760		
(3) Federal and Local Funds...		24,178,817	
Total Commission on Aging.....	4,550,329	24,178,817	28,729,146

The Commission on Aging shall contract with the existing Regional Planning Commissions or Councils of Local Governments and/or Area Agencies on Aging to provide services for one-third of the State's present and future client slots for the program known as the "Medicaid

Waiver Services Program-Home-and Community-Based Waiver for the Elderly and Disabled". The Commission on Aging shall not withdraw Area Agency on Aging designations or alter the funding relationships with existing Area Agencies on Aging and Regional Planning Development Commissions or Councils of Local Governments without the approval of the Board of Directors of the Alabama Commission on Aging and complying with all federal and state statutory and regulatory requirements. In addition to the above appropriation, there is hereby conditionally appropriated the sum of \$600,000 to the Commission on Aging from the State General Fund for the Commission's Medicaid Waiver Program for the fiscal year ending September 30, 1992; said appropriation to be conditioned on the availability of funds in the State General Fund, the recommendation of the State Finance Director and the approval of the Governor.

6. AGRICULTURAL AND CONSERVATION DEVELOPMENT COMMISSION:

(a) Water Resource Development Program

2,249,884

SOURCE OF FUNDS:

(1) State General Fund — Transfer

2,074,884

(2) Interest Income

175,000

As provided in Section 9-8A-4.1, Code of Alabama 1975.

Total Agricultural and Conservation Development Commission	2,074,884	175,000	2,249,884
7. AGRICULTURAL AND INDUSTRIAL EXHIBIT COMMISSION, ALABAMA:			
(a) Agricultural Development Services Program			48,215
SOURCE OF FUNDS:			
(1) State General Fund	48,215		
Total Alabama Agricultural and Industrial Exhibit Commission	48,215		48,215
8. AGRICULTURAL CENTER BOARD:			
(a) Agricultural Development Services Program			887,309
SOURCE OF FUNDS:			
(1) State General Fund	163,308		
For expense and awarding of prizes for fairs as provided in Section 2-7-21, Code of Alabama 1975 and other livestock shows and expositions and other activities.			
(2) State General Fund — Operations	129,718		
(3) State General Fund — Livestock Coliseum	209,283		
(4) Livestock Coliseum Fund ..		385,000	
Total Agricultural Center Board	502,309	385,000	887,309
9. AGRICULTURE AND INDUSTRIES, DEPARTMENT OF:			
(a) Administrative Services Program			1,894,821
(b) Agricultural Inspection Services Program			10,643,856

Of the above appropriation
\$50,000 shall be transferred
to the Alabama Aquaculture
Center in Gadsden, Ala-
bama.

(c) Laboratory Analysis and Disease Control Program	4,331,835
(d) Agricultural Development Services Program	2,222,024

SOURCE OF FUNDS:

(1) State General Fund	8,699,286
(2) Federal and Local Funds...	2,352,256
(3) Shipping Point Inspection Fund.....	3,754,000

Pursuant to Sections 2-9-20 et
seq., Code of Alabama 1975.
All fees and charges col-
lected by the Commissioner
of Agriculture and Indus-
tries and deposited into said
fund, and such appropria-
tion to the Department of
Agriculture and Industries
shall include all fees and
charges collected and de-
posited therein for Shipping
Point Inspection grading
and classification services
for agricultural products
including services furnished
for weighing and issuing
weight certificates to be
used for the sale of agricul-
tural commodities.

(4) Agricultural Fund.....	4,286,994		
Total Department of Agri- culture and Industries	8,699,286	10,393,250	19,092,536

**10. ALABAMA TRUST FUND
BOARD:**

(a) Administrative Program ...	34,605
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SOURCE OF FUNDS:

(1) State General Fund	34,605
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Total Alabama Trust Fund Board	34,605	34,605
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11. ALCOHOLIC BEVERAGE CONTROL BOARD, ALABAMA:

(a) Product Management Program.....	27,535,558
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(b) Enforcement Program	8,055,663
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The level and type of services to be provided by the Alcoholic Beverage Control Board for the Enforcement Program in fiscal year 1991-92 shall not be reduced below the level of services provided in this program in fiscal year 1990-91.

(c) Administrative Services Program.....	3,769,544
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The appropriation to the Alabama Alcoholic Beverage Control Board shall include a transfer to the Department of Mental Health of \$1,000,000, a transfer to the Department of Public Safety of \$2,000,000, and a transfer to the State General Fund of \$2,330,600. The above transfers shall be made from the operating funds of the Alcoholic Beverage Control Board and shall not affect any distribution of revenue generated from the sale of alcoholic beverages.

SOURCE OF FUNDS:

(1) ABC Board Fund	39,360,765
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In addition to the above appropriations herein made, there is hereby appropriated for each additional retail store put into operation during the fiscal year, an amount equal to the

sum required to install and operate the last comparable retail store put into operation by said Board. There is further appropriated to the Alabama Alcoholic Beverage Control Board, after provision has been made for the other expenditures herein authorized, such sums as are or may be necessary to purchase the alcoholic beverages which are essential to maintain adequate stocks and inventory for an economic and successful sales operation. In addition to the above appropriation, it is further provided that, in the event any county or municipality of the State shall, during the fiscal period covered by this appropriation by proper referendum, authorize the legal sale of malt and brewed beverages within such county or municipality there is further appropriated, in addition to the amount herein set out, an amount comparable to that expended during the prior fiscal year for beer and license tax supervision within counties or municipalities of similar size and population. Provided, further that the amount appropriated herein shall be reduced in like manner in the event any county or municipality wherein malt and brewed beverages are now authorized by law to be sold shall, during the fiscal period covered by this appropriation by proper referendum, declare unlawful the sale in

such county or municipality
of such malt or brewed bev-
erages.

Total Alabama Alcoholic Beverage Control Board	39,360,765	39,360,765
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In addition to the above ap-
propriation to the Alabama
Alcoholic Beverage Control
Board, there is hereby ap-
propriated \$1,420,180 from
the ABC Board Fund to be
conditioned on the availabil-
ity of funds in the ABC
Board Fund, the recommen-
dation of the State Finance
Director and the approval of
the Governor.

12. ARCHITECTS, BOARD FOR REGISTRATION OF:

(a) Professional and Occu- pational Licensing and Regulation Program.....	282,500
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SOURCE OF FUNDS:

(1) Fund of the Board for Registration of Architects.....	282,500
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As provided in Section 34-2-
41, Code of Alabama 1975.

Total Board for Registration of Architects	282,500	282,500
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13. ARCHIVES AND HIS- TORY, DEPARTMENT OF:

(a) Historical Resources Management Program.....	3,072,068
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SOURCE OF FUNDS:

(1) State General Fund	2,944,252
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(2) Federal and Local Funds...	127,816
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Total Department of Archives and History.....	2,944,252	127,816	3,072,068
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14. ATTORNEY GENERAL, OFFICE OF THE:

(a) Legal Advice and Legal Services Program	11,262,002
(b) Fair Marketing Practices Program	728,013

SOURCE OF FUNDS:

(1) State General Fund	6,128,986	
(2) State General Fund — Drug Program	120,537	
(3) State General Fund — Consumer Protection	596,105	
(4) Federal and Local Funds....	1,144,387	
(5) Attorney General's Fund....	4,000,000	

Pursuant to the order approving stipulation and consent agreement issued May 29, 1991, by the United States Federal Energy Regulatory Commission in Docket Nos. RP88-6B-000, et al., Docket No. IN89-1-000 and Docket No. IN89-1-001 and the agreements and stipulations pursuant to said order.

Total Office of the Attorney General	6,845,628	5,144,387	11,990,015
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15. AUCTIONEERS, ALABAMA STATE BOARD OF:

(a) Professional and Occupational Licensing and Regulation Program	80,884
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SOURCE OF FUNDS:

(1) State Board of Auctioneers Fund	80,884	
Total Alabama State Board of Auctioneers	80,884	80,884

16. AUDITOR, STATE:

(a) Fiscal Management Program	1,015,934
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SOURCE OF FUNDS:

(1) State General Fund	1,015,934
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Total State Auditor	<u>1,015,934</u>	<u>1,015,934</u>
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17. BANKING DEPARTMENT, STATE:

(a) Charter, License and Regulate Financial Institutions Program.....		3,663,000
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SOURCE OF FUNDS:

(1) Banking Assessment Fees.	3,220,000	
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As provided in Section 5-2A-20, Code of Alabama 1975.

(2) Loan Examination Fund ...	443,000	
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As provided in Section 5-2A-24, Section 5-16-38.1, and Section 5-18-5, Code of Alabama 1975.

Total State Banking Department.....	<u>3,663,000</u>	<u>3,663,000</u>
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18. BAR ASSOCIATION, ALABAMA STATE:

(a) Professional and Occupational Licensing and Regulation Program.....		1,795,069
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SOURCE OF FUNDS:

(1) State Bar Association Fund.	1,256,549	
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As provided in Section 34-3-4 and Section 34-3-44, Code of Alabama 1975.

(2) Federal and Local Funds...	538,520	
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As provided in Sections 34-3-44, 34-3-17 and 34-3-18, Code of Alabama 1975.

Total Alabama State Bar Association	<u>1,795,069</u>	<u>1,795,069</u>
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19. BEAR CREEK DEVELOPMENT AUTHORITY:

(a) Water Resource Development Program		52,588
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SOURCE OF FUNDS:

(1) State General Fund	<u>52,588</u>	
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Total Bear Creek Development Authority.....	52,588	52,588
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20. BUILDING COMMISSION, STATE:

(a) Special Services Program..	1,625,859
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SOURCE OF FUNDS:

(1) State General Fund	858,838	
(2) Federal and Local Funds...	767,021	

Total State Building Commission.....	858,838	767,021	1,625,859
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21. BUILDING RENOVATION FINANCE AUTHORITY, ALABAMA:

(a) Administrative Support Services Program	5,278,127
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(b) Capital Outlay Program....	900,000
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SOURCE OF FUNDS:

(1) Departmental Receipts, Estimated	6,178,127
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Total Alabama Building Renovation Finance Authority	6,178,127	6,178,127
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In addition to the \$8,651,231 allocation from the Alabama Building Renovation Finance Authority bonds authorized in Act 90-602, the Alabama Building Renovation Finance Authority shall expend \$1,000,000 for the restoration and renovation of the State Capitol from the above appropriation.

22. CAHAWBA ADVISORY COMMITTEE:

(a) Historical Resources Management Program.....	9,209
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SOURCE OF FUNDS:

(1) State General Fund	9,209
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Total Cahawba Advisory Committee	9,209	9,209
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23. CHILD ABUSE AND
NEGLECT PREVENTION
BOARD:

(a) Social Services Program		704,698
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In accordance with Sections
26-16-1 et seq., Code of
Alabama 1975.

SOURCE OF FUNDS:

(1) State General Fund — Transfer	389,698	
(2) Children's Trust Fund, Estimated		315,000

Total Child Abuse and Neglect Prevention Board	389,698	315,000	704,698
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24. CHIROPRACTIC EXAM-
INERS, ALABAMA STATE
BOARD OF:

(a) Professional and Occu- pational Licensing and Regulation Program		99,650
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SOURCE OF FUNDS:

(1) Alabama State Board of Chiropractic Examiner's Fund		99,650
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As provided in Section 34-24-
143, Code of Alabama 1975.

Total Alabama State Board of Chiropractic Examiners		99,650	99,650
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25. CHOCCOLOCCO CREEK
WATERSHED CONSER-
VANCY DISTRICT:

(a) Water Development Pro- gram		9,643
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SOURCE OF FUNDS:

(1) State General Fund	9,643	
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Total Choccolocco Creek Water- shed Conservancy District	9,643	9,643
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26. CHOCTAWHATCHEE-
PEA RIVER CONSER-
VANCY OR A WATER-
SHED MANAGEMENT
AUTHORITY CREATED
PURSUANT TO HOUSE
BILL 330 ENACTED IN
THE 1991 REGULAR LEG-
ISLATIVE SESSION:

(a) Water Development Pro- gram.....	111,000
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SOURCE OF FUNDS:

(1) State General Fund	111,000	
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Total Choctawhatchee-Pea River Conservancy or a Watershed Management Authority created pursuant to House Bill 330 enacted in the 1991 Regular Legisla- tive Session.....	111,000	111,000
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In addition to the above appro-
priation, there is hereby con-
ditionally appropriated the
sum of \$376,000 from the
State General Fund to match
federal funds for the fiscal
year ending September 30,
1992; said appropriation is to
be conditioned on the avail-
ability of funds in the State
General Fund and upon
approval of the Governor.

27. CONSERVATION AND
NATURAL RESOURCES,
DEPARTMENT OF:

(a) State Land Management Program.....	925,890
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(b) Outdoor Recreation Sites and Services Program.....	27,967,378
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Of the above appropriation,
\$50,000 shall be expended
at the Cullman Park and
Recreation Board.

(c) Marine Police Program	3,433,509
(d) Wildlife Game and Fish Program.....	16,983,080
(e) Marine Resources Pro- gram.....	2,237,000
(f) Administrative Services Program.....	3,834,147
(g) Capital Outlay Program....	983,500
(h) Alabama Community Service Grant Program.....	428,096

As provided for in Sections 41-24-1 through 41-24-5, Code of Alabama 1975, as amended. The appropriation to the Department of Conservation and Natural Resources shall include Alabama's pro rata share of the Gulf States Marine Fisheries Commission operation expenses. The appropriation to the Department of Conservation and Natural Resources includes funds for the maintenance, staff and repair of the Governor's official beach mansion.

SOURCE OF FUNDS:

(1) State General Fund — Transfer	978,096
(2) Game and Fish Fund — Licenses, Fines, Fees, Interest Income and Other Departmental Receipts.....	12,899,580
(3) Game and Fish Fund — Federal and Local Funds	4,955,000
(4) State Lands Fund	1,037,890

The funds hereinabove appropriated from the State Lands Fund includes funds for analyzing, cataloging and

monitoring mineral reserves
and the development thereof
on State lands including
water and offshore areas.

(5) Marine Resources Fund — Licenses, Taxes, Fines and Other Departmental Re- ceipts.....	1,377,000
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(6) Marine Resources Fund — Federal and Local Funds.....	860,000
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In addition to the monies here-
inabove appropriated from
the Marine Resources Fund,
all monies derived from con-
tracts, grants or other agree-
ments concerning or relating
to marine biological research
performed or accomplished
at the Marine Resources
Division Laboratory at
Dauphin Island is hereby
appropriated and may be
expended by the Commis-
sioner of Conservation on
such Marine Resources Di-
vision programs or projects
which he deems appropriate.

(7) Marine Police Fund — Licenses, Fines, Taxes and Other Departmental Re- ceipts.....	2,888,509
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(8) Marine Police Fund — Federal and Local Funds.....	545,000
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(9) State Parks Fund.....	400,000
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(10) Parks Revolving Fund.....	23,017,378
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(11) State Parks Fund — Cigarette Tax	4,000,000
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(12) Administrative Funds	3,834,147
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The funds hereinabove appro-
priated shall be payable as
provided in Section 9-2-1 et
seq., Code of Alabama 1975.

Total Department of Conservation and Natural Resources.....

978,096 55,814,504 56,792,600

28. CONTRACTORS, STATE LICENSING BOARD FOR GENERAL:

(a) Professional and Occupational Licensing and Regulation Program.....

513,252

SOURCE OF FUNDS:

(1) State Licensing Board for General Contractors Fund....

513,252

Pursuant to Section 34-8-25, Code of Alabama 1975. In addition to the amounts appropriated hereinabove to the State Licensing Board for General Contractors, there is hereby appropriated such an amount as may be necessary to pay the refund of any application for license which may have been rejected by the Board or application withdrawn by request of applicant.

Total State Licensing Board for General Contractors.....

513,252 513,252

29. CORRECTIONS, DEPARTMENT OF:

(a) Administrative Services and Logistical Support Program.....

10,537,566

(b) Institutional Services Corrections Program.....

136,429,619

(c) Correctional Agricultural and Industries Program

16,181,826

The Department of Corrections shall not utilize any portion of its State General Fund appropriation to support the Correctional Industries

Program, for either the agribusiness element or the industries element.

SOURCE OF FUNDS:

(1) State General Fund	137,641,102
(2) Department of Corrections Fund.....	24,357,909

The above figure of 24,357,909 includes \$636,956 of fiscal year 1989-90 funds. Any law to the contrary notwithstanding, it is the intent of the Legislature that any of said fiscal year 1989-90 funds not expended in fiscal year 1990-91 shall not revert, but shall remain in the Department of Corrections fund and are hereby appropriated for the operations of the department. The Commissioner of the Department of Corrections is authorized to utilize funds herein appropriated as matching contributions, where required and appropriate, to generate additional funds which would effectively increase the appropriations for the Department of Corrections. Any such grant funds so generated and in direct support of the Department of Corrections' operations are also hereby appropriated.

(3) Drug Demand Reduction Fund.....	150,000
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In accordance with Act 90-655, 1990 Regular Session of the Alabama Legislature.

(4) Correctional Industries Fund — Transfer	1,000,000
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The above transfer shall be made from the Correctional Industries Fund (No. 432) to the Department of Corrections Fund (No. 382) in the fourth fiscal quarter of fiscal year 1991-92. In addition, there is also hereby conditionally appropriated the sum of five hundred thousand dollars (\$500,000) from the Correctional Industries Fund to the Department of Corrections Fund to be conditioned on the availability of funds in the Correctional Industries Fund, the recommendation of the State Finance Director and the approval of the Governor.

Total Department of Corrections	<u>137,641,102</u>	<u>25,507,909</u>	<u>163,149,011</u>
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30. COSMETOLOGY, ALABAMA BOARD OF:

(a) Professional and Occupational Licensing and Regulation Program.....			694,000
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SOURCE OF FUNDS:

(1) Alabama Board of Cosmetology Fund	694,000		
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As provided in Section 34-7-42, Code of Alabama 1975.

Total Alabama Board of Cosmetology	<u>694,000</u>	<u>694,000</u>	
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31. COUNSELING, ALABAMA BOARD OF EXAMINERS IN:

(a) Professional and Occupational Licensing and Regulation Program.....			100,750
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SOURCE OF FUNDS:

(1) Alabama Board of Examiners in Counseling Fund	100,750	
As provided in Section 34-8A-6, Code of Alabama 1975.		
Total Alabama Board of Examiners in Counseling	100,750	100,750
32. CREDIT UNION ADMINISTRATION, ALABAMA:		
(a) Charter, License and Regulate Financial Institutions Program		583,856
SOURCE OF FUNDS:		
(1) Alabama Credit Union Administration Fund	583,856	
As provided in Section 5-17-7, Code of Alabama 1975.		
Total Alabama Credit Union Administration	583,856	583,856
33. CRIME VICTIMS COMPENSATION COMMISSION, ALABAMA:		
(a) Special Services Program, Estimated		846,100
SOURCE OF FUNDS:		
(1) Alabama Crime Victims Compensation Commission Fund, Estimated	846,100	
To be expended in accordance with Sections 15-23-1 through 15-23-26, Code of Alabama 1975.		
Total Alabama Crime Victims Compensation Commission	846,100	846,100
34. CRIMINAL JUSTICE INFORMATION CENTER, ALABAMA:		
(a) Criminal Justice Information Services Program		4,454,697
SOURCE OF FUNDS:		

(1) State General Fund	3,023,597		
(2) Federal and Local Funds...		1,431,100	
Total Alabama Criminal Justice Information Center ..	3,023,597	1,431,100	4,454,697

35. DEVELOPMENT OFFICE,
ALABAMA:

(a) Promotional Development Program — Alabama Film Commission.....			292,964
(b) Administrative Services Program.....			292,519

Of the above appropriation to the Administrative Services Program, not less than \$200,000 shall be expended by the Office of Minority Business.

(c) Industrial Development Program — Alabama Development Office			4,387,226
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SOURCE OF FUNDS:

(1) State General Fund — Alabama Development Office.....	4,187,226		
(2) State General Fund — Office of Minority Business ..	200,000		
(3) State General Fund — Small Business Office of Advocacy	92,519		
(4) State General Fund — Alabama Film Commission ..	292,964		
(5) Departmental Receipts.....		200,000	
Total Alabama Development Office.....	4,772,709	200,000	4,972,709

36. DIETETICS/NUTRITION PRACTICE, ALABAMA STATE BOARD OF EXAMINERS FOR:

(a) Professional and Occupational Licensing and Regulation Program.....			60,000
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SOURCE OF FUNDS:

(1) State Board of Dietetics/ Nutrition Fund.....	60,000	
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Total Alabama State Board of Examiners for Dietetics/ Nutrition Practice	60,000	60,000
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37. DISTRICT ATTORNEYS:

(a) Court Operations Program 15,654,320

The proposed spending plan
included in the above total
is as follows:

Salaries of District

Attorneys3,277,493

For the use of the elected As-
sistant District Attorney of
the Bessemer Division of the
10th Judicial Circuit..159,652

**Salaries and expenses of
Supernumerary District**

Attorneys1,280,113

For use in the District At-
torney's Office of the follow-
ing Judicial Circuits:

1st Judicial Circuit.....154,227

2nd Judicial Circuit150,886

3rd Judicial Circuit258,060

4th Judicial Circuit480,192

5th Judicial Circuit443,900

6th Judicial Circuit434,819

7th Judicial Circuit294,279

8th Judicial Circuit202,707

9th Judicial Circuit220,152

10th Judicial Circuit ...557,655

11th Judicial Circuit ...146,015

12th Judicial Circuit ...381,087

13th Judicial Circuit ...567,375

14th Judicial Circuit ...196,297

15th Judicial Circuit ...	591,261
16th Judicial Circuit ...	286,821
17th Judicial Circuit ...	185,837
18th Judicial Circuit ...	354,210
19th Judicial Circuit	239,166
20th Judicial Circuit ...	265,679
21st Judicial Circuit....	227,064
22nd Judicial Circuit ..	228,251
23rd Judicial Circuit ...	413,784
24th Judicial Circuit ...	142,833
25th Judicial Circuit ...	166,748
26th Judicial Circuit ...	326,565
27th Judicial Circuit ...	220,806
28th Judicial Circuit ...	290,131
29th Judicial Circuit ...	351,048
30th Judicial Circuit ...	276,556
31st Judicial Circuit....	162,283
32nd Judicial Circuit....	219,255
33rd Judicial Circuit	179,054
34th Judicial Circuit	124,271
35th Judicial Circuit	172,442
36th Judicial Circuit	143,469
37th Judicial Circuit	236,686
38th Judicial Circuit.....	191,682
39th Judicial Circuit	181,827
Travel Expenses of District Attorneys	75,000
Investigators Subsistence — Section 36-21-2, Code of Alabama 1975	196,682

SOURCE OF FUNDS:

(1) State General Fund	14,969,161
(2) State General Fund — Act 90-111, Judicial Compensation Report.....	685,159

Total District Attorneys.....	15,654,320	15,654,320
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38. ECONOMIC AND COMMUNITY AFFAIRS, ALABAMA DEPARTMENT OF:

(a) Administrative Support Services Program		8,004,324
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(b) Planning Program		31,401,539
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Of the above appropriation, at least \$600,000 shall be spent for the Regional Planning Commissions and \$50,000 shall be expended for the Alabama Council of Economic Education. In addition, \$920,000 of the above appropriation to the Planning Program shall be designated for the use of:

Madison County Commission	15,000
City of Anniston	30,000
Town of Cowarts Water System	30,000
City of Eufaula	75,000
Town of Curry Water System.....	10,000
Town of Nauvoo Water System	10,000
Town of Parrish	10,000
City of West Jefferson/Water Authority	10,000
City of Altoona.....	50,000
City of Attalla.....	25,000
City of Black	15,000
City of Coffee Springs ...	10,000
City of Slocumb.....	25,000
City of Birmingham	15,000
City of Decatur	120,000

Town of Pollard	30,000
City of Bessemer	10,000
City of Gadsden	25,000
City of Bayou La Batre...	35,000
Town of Dauphin Island..	10,000
Coffee County Commission/ Goodman-Asbury Water Authority	25,000
DeKalb County Commission	25,000
City of Tuscaloosa	50,000
City of Mobile	5,000
Shelby County Commission/ Water Authority.....	25,000
City of Prichard	100,000
Calhoun County Commission	30,000
Town of Red Level/Water System	100,000

The Department may fund the above grants from any source of funds available to the Department. In addition, \$250,000 of the above appropriation to the Planning Program shall be for the use of the Office of Water Resources in the Alabama Department of Economic and Community Affairs.

(c) Special Services Program ..

20,647,000

Of the above appropriation, \$70,000 shall be distributed to the Family Education Involvement and Support Program at the Birmingham Board of Education and \$800,000 shall be distributed to community action

administering agencies based on their populations below the poverty level, provided however, not more than 10% of each agency's allocation shall be expended for administration.

(d) Skills Enhancement and Employment Opportunities Program.....	73,229,620
(e) Energy Management Program.....	4,734,281
(f) Traffic Control and Accident Prevention Program	2,831,099
(g) Law Enforcement Planning and Development Program.....	10,597,586
(h) Surplus Property Program .	1,647,092
(i) Community Services Grant Program.....	585,000

As provided for in Sections 41-24-1 through 41-24-5, Code of Alabama 1975, as amended.

SOURCE OF FUNDS:

(1) State General Fund.....	8,172,420		
(2) Federal and Local Funds...		136,086,805	
(3) Administrative Transfers and Other Departmental Receipts		7,821,224	
(4) Administrative Transfers from Federal-Donated Surplus Property Sales		951,855	
(5) Administrative Transfers from State-Owned Surplus Property Sales		645,237	
Total Alabama Department of Economic and Community Affairs	8,172,420	145,505,121	153,677,541

There is hereby conditionally appropriated to the Alabama Department of Economic and Community Affairs the sums of \$547,722 for the Louisiana, Mississippi, Alabama Rapid Rail and \$500,000 to the Gulf Breeze/Amtrak and \$250,000 to the Birmingham Transit Authority from the State General Fund, to be conditioned only upon these entities not receiving such funding from any other available sources of funds.

39. EDUCATION, DEPARTMENT OF:

(a) Rehabilitation Services Program.....	5,415,674
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SOURCE OF FUNDS:

(1) State General Fund — Homebound	1,928,600		
(2) State General Fund — Eye Injury Register.....	48,215		
(3) Federal and Local Funds...		3,438,859	
Total Department of Education.....	1,976,815	3,438,859	5,415,674

40. ELECTRICAL CONTRACTORS, BOARD OF:

(a) Professional and Occupational Licensing and Regulation Program.....	94,000
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SOURCE OF FUNDS:

(1) Electrical Contractors Board Fees.....	94,000
As provided in Section 34-36-17, Code of Alabama 1975.	
Total Board of Electrical Contractors.....	94,000

41. ELK RIVER DEVELOPMENT AGENCY:

(a) Water Resource Development Program		4,113
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SOURCE OF FUNDS:

(1) State General Fund	4,113	
Total Elk River Development Agency	4,113	4,113

42. EMERGENCY MANAGEMENT AGENCY:

(a) Readiness and Recovery Program		15,188,066
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(b) Transfer to County Emergency Management Agencies		350,000
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The above appropriation of \$350,000 is to be in addition to the regular allocations to county emergency management agencies.

SOURCE OF FUNDS:

(1) State General Fund	1,232,486		
(2) Federal and Local Funds...		14,305,580	
Total Emergency Management Agency	1,232,486	14,305,580	15,538,066

43. ENERGY BOARD, SOUTHERN STATES:

(a) Discovery and Development of Mineral, Energy and Water Resources, Geological Research and Topographic Mapping Program		26,180
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SOURCE OF FUNDS:

(1) State General Fund	26,180	
Total Southern States Energy Board	26,180	26,180

44. ENGINEERS AND LAND SURVEYORS, STATE BOARD OF REGISTRATION FOR PROFESSIONAL:

(a) Professional and Occupational Licensing and Regulation Program.....	530,120
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SOURCE OF FUNDS:

(1) Professional Engineers Fund.....	530,120
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As provided in Section 34-11-36, Code of Alabama 1975.

Total State Board of Registration for Professional Engineers and Land Surveyors.....		
	530,120	530,120

45. ENVIRONMENTAL MANAGEMENT, DEPARTMENT OF:

(a) Environmental Management Program	54,145,106
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SOURCE OF FUNDS:

(1) State General Fund — Transfer	5,404,469
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(2) State General Fund — Transfer to Water Pollution Control Authority.....	1,100,000
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(3) State General Fund — Transfer to Hazardous Substance Cleanup Fund	50,000
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(4) Environmental Management Fines and Fees	6,791,699
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As provided in Section 22-22A-11, Code of Alabama 1975.

(5) Federal and Local Funds...	9,798,938
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(6) Federal Match-Water Pollution Control Authority.....	26,600,000
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(7) Transfer from Underground Storage Tank Trust Fund.....	400,000
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As provided in Section 22-35-9, Code of Alabama 1975.

(8) Underground Storage Trust Fund Fees.....	4,000,000
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As provided in Section 22-35-5, Code of Alabama 1975.

Total Department of Environmental Management.....	6,554,469	47,590,637	54,145,106
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In addition to the above appropriation to the Alabama Department of Environmental Management, there is also hereby conditionally appropriated from the Environmental Management Fund \$1,100,000 to be conditioned on the availability of Environmental Management Fines and Fees, recommendation by the State Finance Director and approval of the Governor.

46. ETHICS COMMISSION, ALABAMA:

(a) Regulation of Public Officials and Employees Program.....	431,545
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SOURCE OF FUNDS:

(1) State General Fund	431,545	
Total Alabama Ethics Commission.....	431,545	431,545

47. FARMERS' MARKET AUTHORITY:

(a) Agricultural Development Services Program	561,741
(b) Capital Outlay Program....	343,308

SOURCE OF FUNDS:

(1) State General Fund	468,438	
(2) Farmers' Market Authority Fund		436,611
Total Farmers' Market Authority	468,438	905,049

48. FINANCE, DEPARTMENT OF:

(a) Fiscal Management Program.....	4,910,722
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(b) Administrative Support Services Program	4,320,412
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SOURCE OF FUNDS:

(1) State General Fund	9,058,941
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(2) Miscellaneous Funds	172,193
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Total Department of Finance ..	9,058,941	172,193	9,231,134
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49. FINANCE, DEPARTMENT OF — AIR TRANSPORTATION:

(a) Administrative Support Services Program	1,784,039
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SOURCE OF FUNDS:

(1) State General Fund — Transfer	1,207,131
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(2) Departmental Receipts, Estimated	576,908
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Total Department of Finance — Air Transportation	1,207,131	576,908	1,784,039
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50. FINANCE, DEPARTMENT OF — CAPITOL COMPLEX MAINTENANCE AND REPAIR:

(a) Administrative Support Services Program	8,614,693
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SOURCE OF FUNDS:

(1) Capitol Complex Revolving Fund	8,614,693
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Total Department of Finance — Capitol Complex Maintenance and Repair	8,614,693	8,614,693
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51. FINANCE, DEPARTMENT OF — DATA CENTER REVOLVING FUND:

(a) Administrative Support Services Program	22,000,495
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SOURCE OF FUNDS:

(1) Data Center Revolving Fund.....	22,000,495	
Total Department of Finance — Data Center Revolving Fund.....	22,000,495	22,000,495

It is the intent of the Legislature that the Data Systems Management Division — Department of Finance shall absorb \$180,000 in increased computer time usage for the State Personnel Department and shall continue to loan five (5) clerical employees to the State Personnel Department resulting from the implementation of Government Human Resources System (GHRM) for the fiscal year beginning October 1, 1991.

52. FINANCE, DEPARTMENT OF — RISK MANAGEMENT:

(a) Administrative Support Services Program	1,717,743
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SOURCE OF FUNDS:

(1) State Insurance Fund — Admin	1,202,420
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As provided in Sections 41-15-1 et seq., Code of Alabama 1975.

(2) General Liability Trust Administrative Fund	515,323
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As provided in Sections 36-1-6.1, et seq., Code of Alabama 1975.

Total Department of Finance — Risk Management	1,717,743	1,717,743
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53. FINANCE, DEPARTMENT OF — CENTRAL MAIL AND SUPPLY:

(a) Administrative Support Services Program	6,155,880
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SOURCE OF FUNDS:

(1) Mail and Supply Revolving Fund	6,155,880	
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Total Department of Finance — Central Mail and Supply .	6,155,880	6,155,880
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54. FINANCE, DEPARTMENT OF — MOTOR POOL:

(a) Administrative Support Services Program	2,094,185
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SOURCE OF FUNDS:

(1) Motor Pool Revolving Fund .	2,094,185	
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Total Department of Finance — Motor Pool.....	2,094,185	2,094,185
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55. FINANCE, DEPARTMENT OF — PRINTING AND PUBLICATIONS:

(a) Administrative Support Services Program	6,249,289
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SOURCE OF FUNDS:

(1) Printing and Publications Revolving Fund	6,249,289	
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Total Department of Finance — Printing and Publications	6,249,289	6,249,289
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56. FINANCE, DEPARTMENT OF — TELEPHONE REVOLVING FUND:

(a) Administrative Support Services Program — Estimated	12,362,184
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SOURCE OF FUNDS:

(1) State General Fund — Transfer	1,747,312	
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(2) Telephone Revolving Fund, Est.....	10,614,872	
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Total Department of Finance — Telephone Revolving Fund.....	1,747,312	10,614,872	12,362,184
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57. FOREIGN TRADE RELATIONS COMMISSION:

(a) Special Services Program.. 100,114

SOURCE OF FUNDS:

(1) State General Fund	100,114	
Total Foreign Trade Relations Commission.....	100,114	100,114

58. FORENSIC SCIENCES, DEPARTMENT OF:

(a) Forensic Science Services Program..... 7,747,197

SOURCE OF FUNDS:

(1) State General Fund	6,844,371	
(2) Federal and Local Funds...	902,826	
Total Department of Forensic Sciences	6,844,371	7,747,197

59. FORESTERS, ALABAMA STATE BOARD OF REGISTRATION FOR:

(a) Professional and Occupational Licensing and Regulation Program..... 45,000

SOURCE OF FUNDS:

(1) Professional Foresters Fund.....	45,000	
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As provided in Section 34-12-36, Code of Alabama 1975.

Total Alabama State Board of Registration for Foresters	45,000	45,000
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60. FORESTRY COMMISSION, ALABAMA:

(a) Forest Resources Protection and Development Program..... 23,710,183

(b) People Against A Littered State..... 105,000

(c) Birmingham Metro Forestry Unit..... 100,000

SOURCE OF FUNDS:

(1) State General Fund — Transfer	13,463,413		
(2) Federal and Local Funds...		3,557,721	
(3) Forestry Commission Fund.		6,894,049	
Total Alabama Forestry Com- mission.....	13,463,413	10,451,770	23,915,183

Of the above appropriation, \$2,572,752 shall be used for rural and community fire protection. Of the above appropriation, \$482,150 shall be used for forestry research, marketing, management and environmental improvement grants and \$25,000 shall be expended for the Pine Beetle Project at the University of North Alabama. There is hereby appropriated \$150,000 to the Forestry Commission for the purchase of Aircraft for forest fire surveillance for District 7 to be conditioned on the availability of funds in the State General Fund and the approval of the Governor.

61. FUNERAL SERVICE,
ALABAMA BOARD OF:

(a) Professional and Occu- pational Licensing and Regulation Program.....	150,000
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SOURCE OF FUNDS:

(1) Alabama Funeral Di- rectors and Embalmers Fund.....	150,000	
As provided in Section 34-13- 23, Code of Alabama 1975.		
Total Alabama Board of Funeral Service.....	150,000	150,000

62. GEOLOGICAL SURVEY:

(a) Discovery and Development of Mineral, Energy and Water Resources, Geologic Research and Topographic Mapping Program.....	3,320,411
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SOURCE OF FUNDS:

(1) State General Fund	2,470,763		
(2) Federal and Local Funds...		849,648	
Total Geological Survey.....	2,470,763	849,648	3,320,411

63. GORGAS MEMORIAL BOARD:

(a) Historical Resources Management Program.....	4,822
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SOURCE OF FUNDS:

(1) State General Fund	4,822		
As provided in Section 41-9-220, Code of Alabama 1975, and an additional amount.			
Total Gorgas Memorial Board .	4,822		4,822

64. GOVERNOR'S CONTINGENCY FUND:

(a) Executive Direction Program.....	150,000
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SOURCE OF FUNDS:

(1) State General Fund.....	150,000		
Total Governor's Contingency Fund.....	150,000		150,000

65. GOVERNOR'S MANSION ADVISORY BOARD:

(a) Historical Resources Management Program.....	17,979
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SOURCE OF FUNDS:

(1) State General Fund	8,749		
(2) Governor's Mansion Advisory Board Fund		9,230	

Total Governor's Mansion Advisory Board.....	8,749	9,230	17,979
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66. GOVERNOR'S MANSION:

(a) Executive Direction Pro- gram.....			194,166
(b) Capital Outlay Program....		75,000	

SOURCE OF FUNDS:

(1) State General Fund	269,166		
Total Governor's Mansion.....	269,166		269,166

67. GOVERNOR'S OFFICE:

(a) Executive Direction Pro- gram.....			2,155,707
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SOURCE OF FUNDS:

(1) State General Fund	2,155,707		
Total Governor's Office	2,155,707		2,155,707

68. GOVERNOR'S OFFICE
ON VOLUNTEERISM:

(a) Executive Direction Pro- gram.....			84,769
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SOURCE OF FUNDS:

(1) State General Fund	84,769		
Total Governor's Office on Volunteerism.....	84,769		84,769

69. HEALTH, DEPARTMENT
OF PUBLIC:

(a) Personal Health Services Program.....			117,157,676
(b) Health Support Services Program.....			105,983,668

Of the amount appropriated to support local health department services, \$5,000,000 shall be used to provide a minimum staff in each of the 67 counties and the remaining shall be allocated to the counties on the basis of need

and a match formula to be determined by the Department.

(c) Administrative Services Program.....	14,542,942
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SOURCE OF FUNDS:

(1) State General Fund	32,623,251	
(2) Cigarette Tax-\$0.01 and \$0.02		2,632,060
As provided in Section 40-25-2 and Section 40-25-23, Code of Alabama 1975.		
(3) Vital Statistics Fund		1,130,000
(4) Hospital Licensing Fund ...		518,063
(5) Emergency Medical Services Fund		50,000
As provided in Section 22-18-4, Code of Alabama 1975.		
(6) Local Health Departments..	82,178,102	
(7) Nuclear Monitoring Fund .		158,247
(8) Radiation Safety Fund		900,000
(9) Miscellaneous Funds		18,354,578
(10) Federal Funds		99,139,985
Total Department of Public Health.....	32,623,251	205,061,035 237,684,286

Of the above appropriation to the Department of Public Health, at least \$2,000,000 shall be spent on perinatal projects. The Department of Public Health will reimburse to the Alabama Medicaid Agency the state match necessary to cover increased revenues for services as a result of fee increases. The Department of Public Health will be responsible to the Alabama Medicaid Agency for any disallowance of Public Health

Department costs as a result
of federal or state audit.

**70. HEALTH PLANNING
AGENCY, STATE:**

(a) Health Planning Development and Regulation Program.....	616,803
(b) Office of Rural Health	250,000

SOURCE OF FUNDS:

(1) State General Fund	316,803		
(2) Certificate of Need Fees		500,000	
(3) Departmental Receipts		50,000	
Total State Health Planning Agency	316,803	550,000	866,803

**71. HEARING AID DEALERS,
ALABAMA BOARD OF:**

(a) Professional and Occupational Licensing and Regulation Program.....	55,202
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SOURCE OF FUNDS:

(1) State Board of Health — Hearing Aid Fund	55,202	
As provided in Section 34-14-33, Code of Alabama 1975.		
Total Alabama Board of Hearing Aid Dealers	55,202	55,202

**72. HEATING AND AIR
CONDITIONING CONTRACTORS,
BOARD OF:**

(a) Professional and Occupational Licensing and Regulation Program.....	231,500
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SOURCE OF FUNDS:

(1) Heating and Air Conditioning Contractors Fund	231,500
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Total Board of Heating and Air Conditioning Con- tractors	231,500	231,500
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73. HERITAGE TRUST FUND,
ALABAMA:

(a) Fiscal Management Pro- gram.....	20,000	
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SOURCE OF FUNDS:

(1) Heritage Trust Income	20,000	
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Total Alabama Heritage Trust Fund.....	20,000	20,000
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74. HIGHWAY DEPART-
MENT:

(a) Central Administration Program.....	15,052,239	
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(b) Division and District Supervision Program.....	24,814,231	
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(c) Operations and Support Services Program	9,501,750	
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(d) Maintenance Program	151,806,046	
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(e) Non-Programmatic Pro- grams	21,029,568	
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Proposed spending plan for
the above (e) includes the
following:

Debt Service	15,111,595	
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Road Machinery and Equipment.....	1,152,500	
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Equipment — Other than Automotive	4,765,473	
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(f) Construction — Federal Aid Program	291,568,744	
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Proposed spending plan for
the above (f) includes the
following:

Federal Aid Matching.....	39,352,929	
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Non-Participating Work on
Federal Projects1,000,000

Federal Aid251,215,815

(g) Construction — State
Program 25,125,000

(h) Operations — Land and
Buildings 2,132,000

(i) Captive County Health
Insurance..... 168,480

(j) Transfer to Department of
Public Safety (for the
enforcement of state traffic
and motor vehicle laws)..... 900,000

SOURCE OF FUNDS:

(1) State General Fund —
Transfer 221,533

(2) Public Road and Bridge
Fund..... 289,760,710

(3) Public Road and Bridge
Fund — Transfer to Depart-
ment of Public Safety..... 900,000

(4) Federal Aid..... 251,215,815

There is hereby appropriated,
for payment of the principal
of and the interest on all
bonds theretofore or hereafter
issued for public highways
and bridge purposes, or
either, by the State of
Alabama, Alabama Highway
Authority, Alabama Federal
Aid Highway Finance Au-
thority, or Alabama Indus-
trial Access Road and Bridge
Corporation, a total of
\$15,111,595 or so much as
may be necessary for pay-
ment of said principal and
interest at their respective
maturities, of the revenues
pledged for such payment.

The Highway Director with the consent of the Governor and the State Finance Director shall have the authority to transfer any appropriation or any portion thereof between and among Subsections (a), (b), (c), (d), (e), (f), (g), (h), (i), of this Section whenever such transfer shall be necessary to assure maximum utilization of Federal Matching Funds which shall become available. In the event that there shall not be sufficient funds available for payment of all appropriations hereinabove made, the following provisions shall be applicable. In the event of such insufficiency in respect of the said revenues accruing to the State Highway Department:

- (1) the appropriations made for Debt Service in Subsection (e) hereof shall be paid in full,
- (2) the appropriations from the revenues accruing to the State Highway Department that are herein made for the purposes referred to in Subsections (a), (b), (c), (d), (e), (f), (g), (h), (i), except for Debt Service, hereof shall be allocated among the purposes referred to in said Subsections in such order and with such priorities as the State Highway Director shall from time to time direct. The funds appropriated in Subsection (f) hereof, for the matching Federal Funds, shall not revert at the end of the fiscal year for which such appropriations are made, but

shall remain available for the purpose for which such appropriation was made. In addition to all appropriations hereinabove made there is hereby appropriated to the State Highway Department all Federal Funds accruing thereto to be expended only for the purpose for which such funds are made available. The Highway Department shall construct turn lanes, north and south, on Highway 51 at Beauregard School in Lee County and shall construct two overhead walkways in the Oscar Adams Elementary School District in Gadsden in Etowah County.

Total Highway Department.....	<u>221,533 541,876,525 542,098,058</u>
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In addition to the above appropriation to the Highway Department, there is hereby appropriated the sum of \$350,000 from any sources available to the Highway Department as the state match for additional federal mass transit funds to purchase capital equipment (rolling stock) for the state mass transportation program and for an insurance and/or self-insurance program.

**75. HISTORIC BLAKELEY
AUTHORITY:**

(a) Historical Resources Management Program.....	303,899
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SOURCE OF FUNDS:

(1) State General Fund	<u>303,899</u>	
Total Historic Blakeley Authority	<u>303,899</u>	<u>303,899</u>

Any law to the contrary notwithstanding, any funds encumbered for capital outlay purposes by the Historic Blakeley Authority shall not revert to the State General Fund but shall be carried over from previous fiscal years to be used for said capital outlay purposes.

76. HISTORIC CHATTAHOOCHEE COMMISSION:

(a) Historical Resources Management Program.....	136,931
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SOURCE OF FUNDS:

(1) State General Fund	136,931	
<hr/>		
Total Historic Chattahoochee Commission.....	136,931	136,931
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The above appropriation shall be utilized for staffing and grants for programs in Alabama only; until such time as the Georgia Legislature funds the Historic Chattahoochee Commission in an amount equal to the 1990-1991 Budget Appropriation previously appropriated by the Georgia Legislature.

77. HISTORICAL COMMISSION, ALABAMA:

(a) Historical Resources Management Program.....	2,893,374
(b) Capital Outlay Program....	548,215

SOURCE OF FUNDS:

(1) State General Fund — Transfer	1,549,441
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The above appropriation shall be distributed as follows:

Historical Commission, Alabama	878,316
Historical Commission, Alabama — La Grange..	7,496
Historical Commission, Alabama — Magnolia Grove	36,643
Historical Commission, Alabama — Fort Morgan.....	174,538
Historical Commission, Alabama — Fort Morgan- Capital Outlay.....	48,215
Historical Commission, Alabama — Fort Toulouse	106,356
Historical Commission, Alabama — John T. Morgan House, Selma.....	11,051
Historical Commission, Alabama — Cahaba..	144,645
The administrative fee charged by the Alabama Historical Commission to the Cahaba Account shall not exceed 3% of the above amount.	
Historical Commission, Alabama — Gaineswood.....	71,595
Historical Commission, Alabama — St. Stephens	10,000
Main Street.....	49,086
Pharmaceutical Museum.....	11,500
(2) Soldiers Fund.....	176,167
As provided in Section 40-8-3, Code of Alabama 1975.	
(3) Alabama State Historical Preservation Fund — De- partmental Receipts.....	1,194,979

(4) Federal and Local Funds...	<u>521,002</u>		
Total Alabama Historical Commission	<u>1,549,441</u>	<u>1,892,148</u>	<u>3,441,589</u>

**78. HUMAN RESOURCES,
DEPARTMENT OF:**

(a) Human Services Program .	362,100,264
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It is the intent of the Legislature that allotments be made to the County Departments of Human Resources in the amount of \$165,500 to fund, upon approval of the county department director, supplemental client services not otherwise provided for through existing programs of the Department of Human Resources. Allotments to the county departments based on the counties' populations according to the 1980 census are as follows: county populations greater than 50,000, \$3,500; county populations less than 50,000, \$2,000. Of the above appropriation, \$2,800,000 shall be expended for the Jobs Opportunities and Basic Skills Training (JOBS) Program.

SOURCE OF FUNDS:

(1) State General Fund — Transfer	40,000,000
(2) Federal and Local Funds...	225,202,230
(3) ABC Profits	1,100,000
(4) Whiskey Tax	20,500,000
(5) Beer Tax	8,600,000
(6) Pension Residue.....	18,000,000
(7) Sales Tax	1,322,000
(8) Franchise Tax	16,775,000

(9) Child Support Collections .	4,301,034		
(10) Sales Tax for Food Stamps, Est.	19,800,000		
In accordance with Section 40- 23-35, Code of Alabama 1975.			
(11) Cigarette Tax	4,000,000		
(12) Contractor's Gross Re- ceipts Tax	2,500,000		
Total Department of Human Resources.....	40,000,000	322,100,264	362,100,264

Of the above State General Fund appropriation, at least \$454,852 shall be used to increase foster care payments by 6.4% in fiscal year 1992. Such increase will be made in fiscal year 1992 to allow for the initial implementation of a four-year phase-in designed to bring Alabama to the Southeastern payment average in the foster care program. Of the above State General Fund appropriation, at least \$5,602,613 shall be used to increase total benefit payments of Aid to Families with Dependent Children (AFDC) by 16% in fiscal year 1992. Such increase will be made in fiscal year 1992 to allow for the initial implementation of a four-year phase-in designed to bring Alabama to the Southeastern payment average in the AFDC program.

79. INDIAN AFFAIRS COM- MISSION, ALABAMA:

(a) Social Services Program	201,332
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The above appropriation is to be expended in accordance with Sections 41-9-708 et seq., Code of Alabama 1975.

SOURCE OF FUNDS:

(1) State General Fund	201,332	
Total Alabama Indian Affairs Commission	201,332	201,332

80. INDUSTRIAL DEVELOPMENT AUTHORITY, STATE:

(a) Industrial Development Program	100,000
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SOURCE OF FUNDS:

(1) SIDA Application Fees Fund	100,000	
Total State Industrial Development Authority	100,000	100,000

81. INDUSTRIAL RELATIONS, DEPARTMENT OF:

(a) Employment Security Program	43,859,446
(b) Industrial Safety and Accident Prevention Program	7,404,063

Of the above appropriation \$90,000 shall be distributed to the Mine Academy at Walker State Technical College, and at least \$133,000 shall be expended for the enforcement of child labor laws.

(c) Administrative Services Program	11,289,220
(d) Workmen's Compensation Program	639,370

SOURCE OF FUNDS:

(1) State General Fund	1,361,114
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(2) Federal and Local Funds...	61,830,985		
Total Department of Industrial Relations	1,361,114	61,830,985	63,192,099

82. INSURANCE, DEPARTMENT OF:

(a) Regulatory Services Program.....			4,000,929
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SOURCE OF FUNDS:

(1) State General Fund	2,332,461		
(2) Fire Marshal's Fund		177,360	

As provided in Sections 34-33-11 and 8-17-211, Code of Alabama 1975.

(3) Examination Revolving Fund.....	1,491,108		
Total Department of Insurance	2,332,461	1,668,468	4,000,929

83. INSURANCE BOARD, STATE EMPLOYEES':

(a) Administrative Support Services Program			543,095
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SOURCE OF FUNDS:

(1) State Employees' Insurance Board Expense Fund....	543,095		
Total State Employees' Insurance Board.....	543,095		543,095

In addition to the above appropriation, there is hereby appropriated \$1,200,000 from the State Employees' Insurance Board Expense Fund to be conditioned on the availability of funds, the result of a feasibility study of an in-house utilization review process, the recommendation of the State Finance Director and the approval of the Governor.

**84. INTERIOR DESIGNERS,
ALABAMA STATE BOARD
OF REGISTRATION FOR:**

(a) Professional and Occupational Licensing and Regulation Program..... 11,100

SOURCE OF FUNDS:

(1) Interior Designer Fund 11,100

As provided in Section 34-15A-7, Code of Alabama 1975.

Total Alabama State Board of Registration for Interior Designers.....	11,100	11,100
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**85. LABOR, DEPARTMENT
OF:**

(a) Regulatory Services Program..... 375,205

SOURCE OF FUNDS:

(1) State General Fund 325,205

(2) Federal and Local Funds... 50,000

Total Department of Labor.....	325,205	50,000	375,205
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86. LANDSCAPE ARCHITECTS, BOARD OF EXAMINERS OF:

(a) Professional and Occupational Licensing and Regulation Program..... 29,762

SOURCE OF FUNDS:

(1) Landscape Architect's Fund..... 29,762

As provided in Section 34-17-6, Code of Alabama 1975.

Total Board of Examiners of Landscape Architects.....	29,762	29,762
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87. LIEUTENANT GOVERNOR, OFFICE OF THE:

(a) Legislative Operations and Support Program 621,131

SOURCE OF FUNDS:

(1) State General Fund	621,131	
Total Office of the Lieutenant Governor	621,131	621,131

In addition to the above appropriation to the Lieutenant Governor, there is hereby appropriated \$45,000 from the State General Fund to the Lieutenant Governor's Office to be conditioned on the availability of funds in the State General Fund, the recommendation of the State Finance Director and the approval of the Governor.

88. LIQUEFIED PETROLEUM GAS BOARD:

(a) Regulatory Services Program	407,000
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SOURCE OF FUNDS:

(1) Liquefied Petroleum Gas Board Fund	407,000	
Total Liquefied Petroleum Gas Board	407,000	407,000

89. MANUFACTURED HOUSING COMMISSION, ALABAMA:

(a) Regulatory Services Program	821,525
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SOURCE OF FUNDS:

(1) Alabama Manufactured Housing Commission Fund ..	781,525	
As provided in Section 24-6-4, Code of Alabama 1975.		
(2) Transfer from Mobile Home Title Fee Receipts Levied in Section 3-8-6, Code of Alabama 1975	40,000	

Total Alabama Manufactured Housing Commission	821,525	821,525
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90. MEDICAID AGENCY,
ALABAMA:

(a) Medical Assistance Through Medicaid Program .	1,581,953,904
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The Medicaid Agency will reimburse the Department of Public Health for actual costs (in compliance with OMB Circular A.87 and Health Care Financing Administration guidelines) for services provided. The above appropriation shall include a reimbursement of \$1 million for rural hospitals that own and operate diploma-issuing schools of nursing that are accredited by the National League of Nursing and the Alabama Board of Nursing. Any rural hospital receiving such reimbursement shall reimburse 20% of said funds to any qualifying Hill-Burton hospital in the same county that provides support for the schools of nursing in the rural hospital.

SOURCE OF FUNDS:

(1) State General Fund	137,000,000
(2) Transfer from Department of Human Resources	9,916,738
(3) Transfer from Mental Health.....	40,713,723
(4) Transfer from Commission on Aging.....	2,974,870
(5) Transfer from Department of Public Health	8,270,278
(6) Transfer from Department of Youth Services	15,473

(7) Indigent Care Trust Fund.	48,000,000		
(8) Alabama Health Care Trust Fund	172,700,000		
(9) Departmental Receipts.....	720,000		
(10) Federal and Local Funds.	1,146,596,062		
(11) Unencumbered Balance Brought Forward	15,046,760		
Total Alabama Medicaid Agency	137,000,000	1,444,953,904	1,581,953,904

In addition to the above appropriation, there is also appropriated any local funds or transfers from other state departments as may become available to facilitate the receipt of matching federal funds in order to maximize federal participation in existing programs under Medicaid.

91. MEN'S HALL OF FAME,
ALABAMA:

(a) Historical Resources Management Program.....	4,822
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SOURCE OF FUNDS:

(1) State General Fund	4,822	
Total Men's Hall of Fame	4,822	4,822

92. MENTAL HEALTH AND
MENTAL RETARDATION,
DEPARTMENT OF:

(a) Institutional Treatment and Care-Mental Illness Program.....	109,828,333
(b) Institutional Treatment and Care-Mental Retardation Program	81,307,549
(c) Institutional Treatment and Care-Criminally Insane Program.....	6,492,650

(d) Administrative Services Program.....	12,203,294
(e) Community Services Program.....	102,181,594
(1) Mental Illness Services.....	49,228,919
(2) Substance Abuse Services.....	20,633,054

The above appropriations for Mental Illness and Substance Abuse shall be allocated by the DMH/MR to Regional Community Mental Health Boards established under Section 22-51-2, Code of Alabama 1975. First priority for appropriated funds shall be the development of a comprehensive array of services for the seriously mentally ill, seriously emotionally disturbed, and seriously addicted populations. Such services shall be provided according to a plan developed by DMH/MR in full and explicit cooperation with community boards that recognizes community needs and DMH/MR obligations with respect to the Wyatt Consent Decree, Federal Block Grant allocation rules, and operational funding of facilities constructed with bond issue proceeds.

(3) Mental Retardation Services.....	32,319,621
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SOURCE OF FUNDS:

(1) State General Fund — Transfer.....	68,237,018
(2) Special Mental Health Trust Fund	100,000,000

For Operations and Maintenance of the State Mental Health and Mental Retardation Department and the Mental Health and Mental Retardation Community Programs, including the purchase of drugs for medically indigent mental patients not hospitalized at time of receiving drugs at the Alabama state hospitals.

(3) Transfer from ABC Profits	1,000,000		
(4) Cigarette Tax	3,500,000		
(5) Departmental Receipts.....	8,394,890		
(6) Federal and Local Funds...	130,881,512		
Total Department of Mental Health and Mental Retardation	68,237,018	243,776,402	312,013,420

In addition to the above appropriation, there is also hereby conditionally appropriated the sum of \$3 million to be conditioned on the availability of funds in the Special Mental Health Trust Fund, the recommendation of the State Finance Director and the approval of the Governor.

93. MILITARY DEPARTMENT:

(a) Military Operations Program.....	5,768,012
(b) Capital Outlay Program....	1,068,350

SOURCE OF FUNDS:

(1) State General Fund — Operations.....	1,716,999
(2) State General Fund — Quarterly Allowances Headquarters	1,474,500

- (3) State General Fund —
Capital Outlay for Architect
and Engineering Services,
Specifications, Repair and
Construction of Facilities 1,068,350

The above appropriation shall
include funding for the
design, engineering and con-
struction of armories in
Selma in Dallas County and
Brewton in Escambia
County.

- (4) State General Fund —
Active Military Service 35,107

- (5) State General Fund —
Transfer to Armory Com-
mission..... 2,533,448

- (6) State General Fund —
Dropping Allowance..... 4,213

- (7) State General Fund —
State Defense Force 3,745

Total Military Department	<u>6,836,362</u>	<u>6,836,362</u>
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**94. MILITARY DEPART-
MENT — ARMORY COM-
MISSION OF ALABAMA:**

- (a) Military Operations Pro-
gram..... 6,471,580

SOURCE OF FUNDS:

- (1) Transfer from Military
Department 2,533,448

- (2) Federal and Local Funds... 3,730,293

- (3) Military Department Bil-
leting Revolving Fund,
Estimated 61,239

- (4) Departmental Receipts..... 146,600

The funds hereinabove appro-
priated to the Armory Com-
mission shall be payable
from the funds in the State
Treasury to the credit of the
Armory Commission and the

appropriation hereinabove made includes the appropriation made for the care, maintenance and construction of facilities; provided, however, that the last federal government service contract reimbursement shall not revert to the State General Fund and any unobligated balance remaining thereof in the Armory Commission Fund at the end of the fiscal year in excess of \$50,000 shall be transferred to the State General Fund.

Total Armory Commission of Alabama	6,471,580	6,471,580
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95. MOTOR SPORTS HALL OF FAME:

(a) Historical Resources Management Program.....	128,294	
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SOURCE OF FUNDS:

(1) State General Fund	128,294	
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Total Motor Sports Hall of Fame	128,294	128,294
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96. MUSIC HALL OF FAME, ALABAMA:

(a) Fine Arts Program	212,487	
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SOURCE OF FUNDS:

(1) State General Fund	212,487	
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Total Alabama Music Hall of Fame	212,487	212,487
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97 NURSING, ALABAMA BOARD OF:

(a) Professional and Occupational Licensing and Regulation Program	1,636,009	
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SOURCE OF FUNDS:

(1) Alabama Board of Nursing Trust Fund	1,636,009	
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As provided in Sections 34-21-1 through 34-21-43, Code of Alabama 1975.

Total Alabama Board of Nursing.....	1,636,009	1,636,009
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98. NURSING HOME ADMINISTRATORS, BOARD OF EXAMINERS OF:

(a) Professional and Occupational Licensing and Regulation Program.....		75,000
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SOURCE OF FUNDS:

(1) Board of Examiners of Nursing Home Administrators Fund	75,000	
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As provided in Section 34-20-7, Code of Alabama 1975.

Total Board of Examiners of Nursing Home Administrators.....	75,000	75,000
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99. OCCUPATIONAL THERAPY, ALABAMA STATE BOARD OF:

(a) Professional and Occupational Licensing and Regulation Program.....		35,000
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SOURCE OF FUNDS:

(1) Board of Occupational Therapy Fund.....	35,000	
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Total Alabama State Board of Occupational Therapy	35,000	35,000
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100. OIL AND GAS BOARD:

(a) Management and Regulation of Oil and Gas Exploration and Development Program		2,744,098
(b) Capital Outlay Program....		976,216

SOURCE OF FUNDS:

(1) State General Fund	2,440,814	
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(2) Oil and Gas Board Special Fund.....	1,269,500		
(3) Surety Bond Deposits, Estimated	10,000		
In accordance with Section 9-17-6, Code of Alabama 1975.			
Total Oil and Gas Board	2,440,814	1,279,500	3,720,314
101. PARDONS AND PAROLES, BOARD OF:			
(a) Administration of Pardons and Paroles Program			15,388,881
SOURCE OF FUNDS:			
(1) State General Fund	11,999,693		
(2) Probationers Upkeep Fund	3,389,188		
In accordance with Section 15-22-2, Code of Alabama 1975.			
Total Board of Pardons and Paroles	11,999,693	3,389,188	15,388,881
102. PEACE OFFICERS' ANNUITY AND BENEFIT FUND, ALABAMA:			
(a) Retirement Systems Program.....			397,604
SOURCE OF FUNDS:			
(1) Peace Officers' Annuity and Benefit Fund		397,604	
As provided in Section 36-21, 66, Code of Alabama 1975.			
Total Alabama Peace Officers' Annuity and Benefit Fund ...		397,604	397,604
103. PERSONNEL DEPARTMENT, STATE:			
(a) Administrative Support Services Program			3,758,235
SOURCE OF FUNDS:			
Transfers to the State Personnel Department shall be as follows:			

(1) Board of Public Accountancy	338
(2) Department of Aeronautics	564
(3) Commission on Aging	2,256
(4) Department of Agriculture and Industries	49,135
(5) Agricultural and Conservation Development Commission.....	113
(6) Agricultural Center Board	2,708
(7) Alcoholic Beverage Control Board	89,865
(8) Board of Registration for Architects	282
(9) Archives and History	6,713
(10) State Council on the Arts	1,410
(11) Attorney General's Office	16,585
(12) State Auditor.....	1,974
(13) State Banking Department.....	5,641
(14) Building Commission	2,426
(15) Child Abuse and Neglect Prevention Board	564
(16) Chiropractic Examiners ..	113
(17) Department of Conservation and Natural Resources..	152,652
(18) State Licensing Board for General Contractors	733
(19) Department of Corrections	350,659
(20) Board of Cosmetology	1,692
(21) Credit Union Administration.....	733
(22) Alabama Crime Victims Compensation Commission ..	1,523
(23) Criminal Justice Information Center	6,205

(24) Alabama Development Office.....	4,851
(25) State Docks	31,422
(26) Department of Economic and Community Affairs	38,925
(27) Department of Education	154,739
(28) Electrical Contractors Board	56
(29) Emergency Management Agency	5,077
(30) Local Emergency Management	4,504
(31) Employees' Insurance Board	903
(32) Board of Registration for Professional Engineers and Land Surveyors	508
(33) Department of Environmental Management.....	37,401
(34) Ethics Commission	903
(35) Examiners of Public Accounts	25,386
(36) Farm Crisis and Transition Program Commission....	451
(37) Farmers' Market Authority.....	282
(38) Finance Department.....	68,090
(39) Finance-Alabama Building Renovation Finance Authority	1,580
(40) Foreign Trade Relations Commission	169
(41) Department of Forensic Sciences	16,980
(42) Forestry Commission.....	51,222
(43) Funeral Services Board ...	169
(44) Governor's Office.....	4,457

(45) Department of Public Health.....	337,402
(46) State Health Planning Agency	1,523
(47) Board of Heating and Air Conditioning Contractors	564
(48) Highway Department.....	483,172
(49) Alabama Historical Commission.....	7,052
(50) Department of Human Resources.....	482,890
(51) Alabama Indian Affairs Commission.....	282
(52) Department of Industrial Relations.....	194,510
(53) Insurance Department	7,277
(54) Judicial Inquiry Commission.....	56
(55) Department of Labor	903
(56) Legislative Reference Service	677
(57) Liquefied Petroleum Gas Board	959
(58) Manufactured Housing Commission.....	1,580
(59) Alabama Medicaid Agency	37,401
(60) Department of Mental Health and Mental Retardation.....	557,862
(61) Military Department	23,862
(62) Board of Nursing	2,200
(63) Board of Examiners of Nursing Home Administrators.....	56
(64) Oil and Gas Board	13,257
(65) Pardons and Paroles.....	40,730

(66) Peace Officers' Annuity and Benefit Fund	282
(67) Peace Officers' Standards and Training Commission	395
(68) Physical Fitness Com- mission.....	677
(69) Board of Physical Therapy	56
(70) Plumbers and Gas Fitters Examiners Board.....	846
(71) Public Library Service.....	7,503
(72) Department of Public Safety.....	139,508
(73) Public Service Com- mission.....	17,601
(74) Alabama Educational Television Commission	9,703
(75) Real Estate Commission .	2,031
(76) Retirement Systems	16,924
(77) Department of Revenue...	143,626
(78) Secretary of State	6,205
(79) Securities Commission	1,805
(80) Board of Social Work Examiners	169
(81) Soil and Water Con- servation.....	395
(82) Surface Mining Com- mission.....	4,005
(83) Bureau of Tourism and Travel.....	8,800
(84) State Treasurer.....	5,246
(85) Department of Veterans' Affairs.....	7,164
(86) Board of Veterinary Medical Examiners	169
(87) Voter Registration	113
(88) Department of Youth Services.....	47,838

Total State Personnel Department	3,758,235	3,758,235
104. PHYSICAL THERAPY, BOARD OF:		
(a) Professional and Occupa- tional Licensing and Regulation Program		82,093
SOURCE OF FUNDS:		
(1) Physical Therapist Fund ...	82,093	
As provided in Section 34-24- 195, Code of Alabama 1975.		
Total Board of Physical Therapy	82,093	82,093
105. PLUMBERS AND GAS FITTERS EXAMINING BOARD, ALABAMA:		
(a) Professional and Occupa- tional Licensing and Regulation Program		1,100,000
SOURCE OF FUNDS:		
(1) Board of Plumbers and Gas Fitters Examiners Fund	1,100,000	
Total Alabama Plumbers and Gas Fitters Examining Board	1,100,000	1,100,000
106. POLYGRAPH EXAMIN- ERS, BOARD OF:		
(a) Professional and Occupa- tional Licensing and Regulation Program		15,000
SOURCE OF FUNDS:		
(1) Board of Polygraph Examiners Fund	15,000	
As provided in Section 34-25- 5, Code of Alabama 1975.		
Total Board of Polygraph Examiners	15,000	15,000
107. PROSECUTION SER- VICES, OFFICE OF:		

(a) Prosecution, Training, Education and Management Program.....	1,174,362
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SOURCE OF FUNDS:

(1) State General Fund	144,289		
(2) Office of Prosecution Services Fund.....		1,030,073	
Total Office of Prosecution Services.....	144,289	1,030,073	1,174,362

In addition to the above appropriation, there is also hereby conditionally appropriated the sum of \$50,000 to be made payable to the District Attorney's Office of the 28th Judicial Circuit, to be conditioned upon the availability of funds in the State General Fund and upon approval of the Governor. This shall be the first priority conditional to be made from the State General Fund and shall be released prior to the release of any other conditional appropriation from the State General Fund.

108. PSYCHOLOGY, ALABAMA BOARD OF EXAMINERS IN:

(a) Professional and Occupational Licensing and Regulation Program.....	78,763
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SOURCE OF FUNDS:

(1) Board of Examiners in Psychology Fund	78,763		
As provided in Section 34-26- 43, Code of Alabama 1975.			
Total Alabama Board of Examiners in Psychology.....	78,763	78,763	

109. PUBLIC SAFETY, DEPARTMENT OF:

(a) Police Services Program	30,547,244
(b) Public Safety Support Services Program	10,450,178
(c) Administrative Services Program	16,411,740

SOURCE OF FUNDS:

(1) State General Fund	49,100,605		
(2) Transfer from ABC Profits		2,000,000	
(3) Transfer from Public Road and Bridge Fund (Pursuant to Act 91-252)		3,500,000	
(4) Transfer from Public Road and Bridge Fund (for the enforcement of state traffic and motor vehicle laws)		900,000	
(5) Federal and Local Funds...		1,908,557	
Total Department of Public Safety	49,100,605	8,308,557	57,409,162

Of the above appropriation to the Department of Public Safety, \$444,599 shall be expended for the Automated Fingerprint Identification System (A.F.I.S.). It is the intent of the Legislature that in the event any facilities are constructed by the Department of Public Safety, such facilities shall be constructed in Mobile and Opelika before any other facilities are constructed.

110. PUBLIC SERVICE COMMISSION:

(a) Regulatory Services Program	5,267,060
(b) Administrative Services Program	3,787,596

(c) Transfer to State General Fund.....	1,300,000
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SOURCE OF FUNDS:

(1) Public Service Commission Fund.....	9,682,592
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The above appropriation to the Alabama Public Service Commission shall be payable only from inspection and supervision fees paid by utilities, radio companies and transportation companies and such parts or percentages of fees and taxes paid by motor carrier or motor transportation companies as are now or may be set aside by law to be used by the Commission. Any law to the contrary notwithstanding, the Public Service Commission shall transfer \$1,300,000 from the Public Service Commission Fund to the State General Fund for the fiscal year beginning October 1, 1991. Any surplus remaining in the Alabama Public Service Commission Fund at the end of the fiscal year in excess of \$600,000 shall be transferred to the State General Fund.

(2) Gas Pipeline Safety Fund..	500,000	
(3) Departmental Receipts.....	34,783	
(4) Federal and Local Funds...	137,281	
Total Public Service Commission.....	10,354,656	10,354,656

In addition to the above appropriation to the Public Service Commission, there is hereby conditionally

appropriated \$150,000 from the Public Service Commission Fund to be conditioned on the availability of funds, the determination of a demonstrated need, the recommendation of the State Finance Director and the approval of the Governor.

111. REAL ESTATE COMMISSION, ALABAMA:

(a) Professional and Occupational Licensing and Regulation Program.....	1,720,206
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SOURCE OF FUNDS:

(1) Alabama Real Estate Commission Fund	1,720,206
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As provided in Section 34-27-4, Code of Alabama 1975 and the total expenditures shall in no manner exceed the amounts hereby appropriated.

Total Alabama Real Estate Commission	1,720,206	1,720,206
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112. REAL ESTATE APPRAISERS BOARD, ALABAMA:

(a) Professional and Occupational Licensing and Regulation Program.....	375,000
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SOURCE OF FUNDS:

(1) State General Fund — Transfer	75,000
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(2) Real Estate Appraisers Board Fund	300,000
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In accordance with Act 90-639.

Total Alabama Real Estate Appraisers Board	75,000	300,000	375,000
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The above appropriation from the State General Fund shall be repaid to the State General Fund from the Real Estate Appraisers Board Fund on or before September 30, 1992.

113. REVENUE, DEPARTMENT OF:

(a) State Revenue Administration Program	66,851,612
(b) Capital Outlay Program	340,000
(c) Transfer to State General Fund.....	620,000

Any other law to the contrary notwithstanding, it is the intent of the Legislature that the Department of Revenue transfer \$620,000 from the Revenue Administrative Fund to the State General Fund.

SOURCE OF FUNDS:

(1) State General Fund — Transfer.....	250,000
As provided in Section 40-7-70, Code of Alabama 1975, to maintain a program for the equalization of ad valorem tax assessments.	
(2) State General Fund — Board of Equalization	118,451
(3) Transfer from the gross proceeds of Cigarette Tax Collections	1,227,840
As provided in Section 40-25-27, Code of Alabama 1975.	
(4) Transfer from the gross proceeds of Financial Institution Excise Tax Collections	318,242

(5) Transfer from the proceeds of the Forest Severance Tax Collections	117,163
(6) Transfer from the gross proceeds of Gasoline Tax Collections	5,571,525
(7) Transfer from the Income Tax Collections	18,908,759
(8) Transfer from the gross proceeds of Motor Fuel Tax Collections	1,161,234
(9) Transfer from the gross proceeds of Motor Vehicle License Collections	2,517,797
(10) Transfer from the Pension Fund as part of the cost of collections of the 1-Mill Ad Valorem Tax	770,447
(11) Transfer from the Public School Fund as part of the cost of collections of the 3-Mill Ad Valorem Tax	1,898,057
(12) Transfer from the gross proceeds of Sales Tax Collections	16,681,139
(13) Transfer from the gross proceeds of the Tobacco Tax Collections	50,235
(14) Transfer from the gross proceeds of Use Tax Collections	1,825,513
(15) Transfer from the gross proceeds of the Utility Tax Collections	4,053,127
(16) Local Funds	6,900,000
(17) Transfer from the gross proceeds of Motor Vehicle License Collections for the purchase only of Motor Vehicle License Tags	2,365,083
(18) Inspection fees for restored vehicles	1,250,000

As provided in Section 32-8-87, Code of Alabama 1975.

(19) Revenue Administration Fund — Transfer from Abandoned Property Trust Fund.....	100,000
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As provided in Section 35-12-39, Code of Alabama 1975.

(20) Transfer from the gross proceeds of the Pharmaceutical Services Privilege Tax Collections.....	30,000
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As provided in Act 91-124.

(21) Transfer from the gross proceeds of the Nursing Facility Privilege Tax Collections	209,000
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As provided in Act 91-126.

(22) Transfer from the gross proceeds of the Disproportionate Share Hospital Privilege Tax Collections	
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As provided in Act 91-127.	1,488,000
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The amounts hereinabove appropriated for the cost of maintenance and operations of the Department of Revenue and for transfer to the State General Fund are in lieu of any other statutory provisions for the payment of the cost of operating said Department or collections of the taxes as authorized by law. Provided, however, in addition to the amount hereinabove appropriated, there is hereby appropriated to the Department of Revenue all sums allowed the Department of Revenue by local Acts of the Legislature as a charge for the collection of

taxes or licenses, and a sum from the collections of privilege taxes levied by Act 91-124, Act 91-126 and Act 91-127, so that the amount appropriated from those collections, including the amounts in paragraphs (20), (21), and (22) above, shall be 1% of the amounts collected from such taxes.

Total Department of Revenue .	368,451	67,443,161	67,811,612
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114. SECRETARY OF STATE:

(a) Administrative Support Services Program	2,547,981
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SOURCE OF FUNDS:

(1) State General Fund	917,745		
(2) UCC and Farm Indexing Fund.....		480,010	
(3) Corporations Fund.....		1,150,226	
Total Secretary of State	917,745	1,630,236	2,547,981

Any law to the contrary notwithstanding, any of the funds in the trust accounts in the Secretary of State Office can be interchanged between trust accounts for the purpose of computerization and any such preparation, programming, purchasing and operations of such computer.

115. SECURITIES COMMISSION:

(a) Regulatory Services Program.....	1,009,386
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SOURCE OF FUNDS:

(1) State General Fund	692,886		
(2) Sale of Checks License Fund.....		1,500	

(3) Securities Commission Fund.....	235,000		
(4) Industrial Revenue Bond Notification Fund.....	80,000		
Total Securities Commission...	692,886	316,500	1,009,386

116. SENIOR CITIZENS HALL OF FAME, ALABAMA:

(a) Historical Resources Management Program.....			21,871
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To be expended in accordance with Section 41-9-740 et seq., Code of Alabama 1975.

SOURCE OF FUNDS:

(1) State General Fund	21,871		
Total Alabama Senior Citizens Hall of Fame	21,871		21,871

117. SOCIAL WORK EXAMINERS, ALABAMA STATE BOARD OF:

(a) Professional and Occupational Licensing and Regulation Program.....			91,943
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SOURCE OF FUNDS:

(1) Alabama State Board of Social Work Examiners Fund	91,943		
As provided in Section 34-30-6, Code of Alabama 1975.			
Total Alabama State Board of Social Work Examiners	91,943		91,943

118. SOIL AND WATER CONSERVATION COMMITTEE, STATE:

(a) Water Resource Development Program			1,311,209
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Of the above appropriation for the Water Resource Development Program, \$25,000 shall be allocated to the Sand Mountain Water Conservancy District.

(b) Professional and Occupational Licensing and Regulation Program.....	5,000
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SOURCE OF FUNDS:

(1) State General Fund	1,271,209		
(2) Soil Classifiers Fund		5,000	
As provided in Section 34-32-19, Code of Alabama 1975.			
(3) Transfer from Agricultural and Conservation Development Commission		<u>40,000</u>	
Total State Soil and Water Conservation Committee	<u>1,271,209</u>	<u>45,000</u>	<u>1,316,209</u>

119. SOUTHERN GROWTH POLICIES BOARD:

(a) Special Services Program..	27,910
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SOURCE OF FUNDS:

(1) State General Fund	<u>27,910</u>	
Total Southern Growth Policies Board	<u>27,910</u>	<u>27,910</u>

120. SPACE SCIENCE EXHIBIT COMMISSION, ALABAMA:

(a) Tourism and Travel Promotion Program.....	192,860
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SOURCE OF FUNDS:

(1) State General Fund	<u>192,860</u>	
Total Alabama Space Science Exhibit Commission.....	<u>192,860</u>	<u>192,860</u>

121. SPEECH PATHOLOGY AND AUDIOLOGY, ALABAMA BOARD OF EXAMINERS FOR:

(a) Professional and Occupational Licensing and Regulation Program.....	55,950
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SOURCE OF FUNDS:

(1) Alabama Board of Examiners for Speech Pathology and Audiology Fund.....	55,950
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As provided in Section 34-28A-44, Code of Alabama 1975.

Total Alabama Board of Examiners for Speech Pathology and Audiology.....

55,950 55,950

122. SPORTS HALL OF FAME, ALABAMA:

(a) Historical Resources Management Program.....

139,824

(b) Capital Outlay Program....

661,612

SOURCE OF FUNDS:

(1) State General Fund

139,824

(2) State General Fund — Capital Outlay.....

661,612

Total Alabama Sports Hall of Fame

801,436

801,436

123. SURFACE MINING COMMISSION, ALABAMA:

(a) Industrial Safety and Accident Prevention Program

2,895,463

SOURCE OF FUNDS:

(1) State General Fund — Transfer

361,613

(2) Surface Mining Commission — Fees

754,425

(3) Federal and Local Funds...

1,129,429

(4) Bond Forfeiture/Reclamation Projects, Estimated

650,000

As provided in Section 9-16-103, Code of Alabama 1975.

Total Alabama Surface Mining Commission

361,613

2,533,850

2,895,463

124. TANNEHILL FURNACE AND FOUNDRY COMMISSION:

(a) Historical Resources Management Program	357,348
(b) Brierfield Ironworks Park	25,072

SOURCE OF FUNDS:

(1) State General Fund	382,420	
Total Tannehill Furnace and Foundry Commission	382,420	382,420

125. TENNESSEE-TOMBIGBEE WATERWAY DEVELOPMENT AUTHORITY:

(a) Water Resource Development Program	97,394
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The above appropriation for the Water Resource Development Program shall be allocated and expended for the operation costs of the Tennessee-Tombigbee Waterway Development Authority and no grants or other transfer of such funds may be made.

SOURCE OF FUNDS:

(1) State General Fund	97,394	
Total Tennessee-Tombigbee Waterway Development Authority	97,394	97,394

126. TENNESSEE VALLEY EXHIBIT COMMISSION OF ALABAMA:

(a) Promotional Development Program	383,542
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To be expended in accordance with Sections 41-9-780 et seq., Code of Alabama 1975.

SOURCE OF FUNDS:

(1) State General Fund	66,340	
(2) Admissions and Concessions		217,202
(3) Federal and Local Funds		100,000

Total Tennessee Valley Exhibit Commission of Alabama	66,340	317,202	383,542
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127. TOURISM AND TRAVEL,
BUREAU OF:

(a) Tourism and Travel Promotion Program.....			5,689,324
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Of the above appropriation to the Tourism and Travel Promotion Program, the sum of \$80,004 shall be made payable in 12 monthly installments of \$6,667 per month to the Tennessee Valley Exhibit Commission to operate a welcome center in the Renaissance Tower and the above appropriation shall include \$50,000 for the Cahaba Trace Commission and \$25,000 for the Salem-Shotwell Covered Bridge of Lee County, Alabama to be administered and expended by the Auburn-Opelika Convention and Visitors Bureau and \$15,000 for the Alabama Gulf Coast Chamber of Commerce Welcoming Center and \$25,000 for the Mountain Lakes Tourist Association and \$25,000 for the Childersburg Heritage Foundation.

SOURCE OF FUNDS:

(1) State General Fund	1,344,987		
(2) Lodgings Tax (\$0.01)		4,344,337	

Receipts collected under the provisions of Section 40-26-1 et seq., Code of Alabama 1975.

Total Bureau of Tourism and Travel.....	1,344,987	4,344,337	5,689,324
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128. TREASURER, STATE:

(a) Fiscal Management Program.....	3,517,037
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SOURCE OF FUNDS:

(1) State General Fund	1,836,541		
(2) Prepaid Affordable College Tuition Fund		1,680,496	
Total State Treasurer	1,836,541	1,680,496	3,517,037

In addition to the above appropriation to the State Treasurer, there is hereby appropriated \$100,000 from the State General Fund to be conditioned on the availability of funds in the State General Fund, the recommendation of the State Finance Director and the approval of the Governor.

129. UNIFORM STATE LAWS, ALABAMA COMMISSION ON:

(a) Special Services Program, Estimated	6,268
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SOURCE OF FUNDS:

(1) State General Fund	6,268		
As provided in Section 41-9-374, Code of Alabama 1975.			
Total Alabama Commission on Uniform State Laws.....	6,268		6,268

130. VETERANS' AFFAIRS, DEPARTMENT OF:

(a) Administration of Veterans' Affairs Program	4,735,559
(b) Capital Outlay Program	20,000

SOURCE OF FUNDS:

(1) State General Fund	3,389,961		
(2) Veterans Home Trust Fund — Transfer		1,365,598	

Total Department of Veterans' Affairs	3,389,961	1,365,598	4,755,559
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Of the above appropriation to the Department of Veterans' Affairs, the amount necessary shall be expended to fund a full-time Veteran Affairs Officer and a full-time secretarial position in the Limestone County Office of Veterans' Affairs and maintain an operating office of Veterans' Affairs in Limestone County. In addition to the above appropriation to the Veterans' Affairs Department, there is hereby conditionally appropriated from the Veterans Home Trust Fund the sum of \$100,000 to be conditioned on a demonstrated need, the availability of funds in said fund, the recommendation of the State Finance Director, and the approval of the Governor.

131. VETERINARY MEDICAL EXAMINERS, ALABAMA STATE BOARD OF:

(a) Professional and Occupational Licensing and Regulation Program.....			145,000
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SOURCE OF FUNDS:

(1) State Board of Veterinary Medical Examiners Fund	145,000		
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As provided in Section 34-29-23 and Section 34-29-41, Code of Alabama 1975.

Total Alabama State Board of Veterinary Medical Examiners		145,000	145,000
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132. VOTER REGISTRATION IDENTIFICATION PROGRAM:

(a) Special Services Program..		239,586
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SOURCE OF FUNDS:

(1) State General Fund	239,586	
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Total Voter Registration Identification Program	239,586	239,586
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**133. WOMEN'S COMMIS-
SION, ALABAMA:**

(a) Employment and Social Opportunities Program.....		12,054
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SOURCE OF FUNDS:

(1) State General Fund	12,054	
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Total Alabama Women's Commission.	12,054	12,054
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**134. WOMEN'S HALL OF
FAME, ALABAMA:**

(a) Historical Resources Man- agement Program.....		5,250
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SOURCE OF FUNDS:

(1) State General Fund	5,250	
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Total Alabama Women's Hall of Fame	5,250	5,250
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**135. YOUTH SERVICES,
DEPARTMENT OF:**

(a) Youth Services Program....		4,341,366
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Of the above appropriation, at least \$1,380,601 shall be expended for community subsidies and shall be distributed in the following manner: 1) Central Alabama, \$132,759; 2) Coosa Valley, \$201,597; 3) Lee County, \$86,018; 4) Mobile County, \$161,176; 5) Montgomery County, \$113,505; 6) Robert Neaves (Madison County), \$108,964; 7) Southeast Alabama, \$172,620; 8) Tennessee Valley, \$56,752; 9) Tuscaloosa, \$97,500; 10) Baldwin

County, \$68,103; 11) Jefferson County, \$181,607. Of the above appropriation, up to \$2,960,765 shall be expended for Probation Officers subsidies.

(b) C.I.T.Y. Program..... 150,000

It is the intent of the Legislature that the above appropriation for the C.I.T.Y. Program be in addition to all other financial support received from the Department of Youth Services and that said other financial support for fiscal year 1991-92 be not less than the same pro rata share of the Department's total state funding that was received in fiscal year 1990-91. The above appropriations shall be expended in accordance with the provisions of Sections 44-1-1 through 44-1-56, Code of Alabama 1975.

SOURCE OF FUNDS:

(1) State General Fund	4,341,366	
(2) State General Fund — C.I.T.Y. Program.....	150,000	
Total Department of Youth Services.....	4,491,366	4,491,366

136. HIGHER EDUCATION, ALABAMA COMMISSION ON:

(a) Student Financial Aid
Program..... 46,865

(1) Chiropractic
Scholarships46,865

To be expended under the provisions of Code of Alabama 1975, as amended, Section 16-5-11.

SOURCE OF FUNDS:

(1) State General Fund	46,865	
Total Alabama Commission on Higher Education.....	46,865	46,865

**2D. OTHER FUNCTIONS OF
GOVERNMENT FUNDED
FROM THE STATE GEN-
ERAL FUND:**

**1. ARREST OF ABSCOND-
ING FELONS:**

(a) Criminal Investigation Program, Estimated.....		62,680
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SOURCE OF FUNDS:

(1) State General Fund	62,680	
As provided in Section 15-9-1 and 15-9-3, Code of Alabama 1975.		
Total Arrest of Absconding Felons	62,680	62,680

**2. ATTORNEYS' FEES FOR
REAPPORTIONMENT
CASES:**

(a) Special Services Program, Estimated		144,645
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SOURCE OF FUNDS:

(1) State General Fund	144,645	
Total Attorneys' Fees for Reapportionment Cases.....	144,645	144,645

**3. AUTOMATIC APPEAL
EXPENSE:**

(a) Legal Advice and Legal Services Program, Esti- mated		96
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SOURCE OF FUNDS:

(1) State General Fund	96	
As provided in Section 12-22- 150 and 12-22-241, Code of Alabama 1975.		

Total Automatic Appeal Expense	96	96
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4. CONSUMER UTILITY RATE HEARING:		
(a) Executive Direction Program.....		241,075
SOURCE OF FUNDS:		
(1) State General Fund	241,075	
As provided in Section 37-1-18, Code of Alabama 1975.		
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Total Consumer Utility Rate Hearing.....	241,075	241,075
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5. COURT ASSESSED COSTS NOT PROVIDED FOR:		
(a) Special Services Program, Estimated		781,682
As provided in Sections 22-52-14, 30-4-95, 26-17-17, 22-11A-1 through 22-11A-37 and 12-21-131, Code of Alabama 1975.		
(b) Legal Advice and Legal Services Program		394,486
It is the intent of the Legislature that the appropriation in this subsection be expended for Court Costs to include costs of depositions, witness fees and expenses, filing and docket fees, court reporters, court judgments, attorneys fees, out-of-court settlements and other expenses ordered by the court or normally identified as costs of court, when any of the above is approved by the Attorney General.		
(c) Automatic Appeal Cases Expense Program.....		43,832

The above appropriation shall be used to reimburse reasonable expenses incurred by attorneys representing defendants under sentence of death in state collateral proceedings, such as those under Rule 32 of the rules of Criminal Procedure. Provided, in no case may any amount be paid unless the court determines by written order in advance that the cost is both necessary and reasonable; in no single case may the total amount paid for all costs exceed \$5,000; and in no event may any amount be paid out of this appropriation as fees to any attorney for services, or to compensate any attorney for time either as an attorney in the proceeding or as a witness.

SOURCE OF FUNDS:

(1) State General Fund, Estimated	781,682	
(2) State General Fund	394,486	
(3) State General Fund — Automatic Appeal Cases.....	43,832	
Total Court Assessed Costs Not Provided For.....	1,220,000	1,220,000

6. COURT COSTS-ACT NO. 558, 1957:

(a) Court Operations Program, Estimated	482
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SOURCE OF FUNDS:

(1) State General Fund	482	
Pursuant to Act No. 558, 1957, Page 777.		
Total Court Costs-Act No. 558, 1957	482	482

7. DISTRIBUTION OF PUBLIC DOCUMENTS:

(a) Administrative Support Services Program, Estimated.....	77,144
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SOURCE OF FUNDS:

(1) State General Fund	77,144
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As provided in Sections 36-14-1, 36-14-11 and 41-21-8, Code of Alabama 1975.

Total Distribution of Public Documents.....	77,144	77,144
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8. STATE DOCKS TRANSFER.....	3,500,000
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SOURCE OF FUNDS:

(1) State General Fund	3,500,000
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The above appropriation to the State Docks shall be conditional upon the availability of funds and shall remain in the State General Fund until a demonstrated need is determined and recommended by the State Finance Director and approved by the Governor.

Total State Docks Transfer.....	3,500,000	3,500,000
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9. ELECTION EXPENSES:

(a) Special Services Program, Estimated	1,020,744
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(b) Secretary of State-Training of Election Officials, Estimated	985,000
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For payment of expenses involved in providing voter worker education and training on a statewide basis and complying with Court Order, U.S. District Court in Civil Action No. 84-T-595-N.

SOURCE OF FUNDS:

(1) State General Fund 2,005,744

As provided in Section 17-4-153, Code of Alabama 1975.

Total Election Expenses	2,005,744	2,005,744
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In addition to the above appropriation, there is hereby appropriated \$750,000 from the State General Fund to the Secretary of State for the Training of Election Officials to be conditioned on the availability of funds in the State General Fund, the demonstration of a need, the recommendation of the State Finance Director and approval of the Governor.

10. EMERGENCY FUND, DEPARTMENTAL:

(a) Special Services Program.. 1,246,450

SOURCE OF FUNDS:

(1) State General Fund 1,246,450

This is the appropriation contemplated in Section 41-4-94, Code of Alabama 1975, and shall be the only amount appropriated and the total amount expended under the provisions of said section. This appropriation shall be expended solely for the purpose of addressing a financial emergency within a state department, board, commission, bureau, office or agency. None of the above appropriation shall be transferred to the Governor's contingency fund. At least 10 days prior to the release of any of this appropriation to

any state department, board, commission, bureau, office or agency, the State Finance Director shall notify the Chairman of the Senate Finance and Taxation Committee and the Chairman of the House Committee on Ways and Means of such pending transfer.

Total Departmental Emergency Fund.....	<u>1,246,450</u>	<u>1,246,450</u>
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11. FAIR TRIAL TAX TRANSFER:

(a) Court Operations Program, Estimated		2,314,320
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SOURCE OF FUNDS:

(1) State General Fund — Transfer	<u>2,314,320</u>	
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Total Fair Trial Tax	<u>2,314,320</u>	<u>2,314,320</u>
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12. FEEDING OF PRISONERS:

(a) Institutional Services — Corrections Program, Estimated ...		3,616,125
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SOURCE OF FUNDS:

(1) State General Fund	3,616,125	
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For expenses of feeding prisoners in county jails in accordance with Section 14-6-42, Code of Alabama 1975.

Total Feeding of Prisoners.....	<u>3,616,125</u>	<u>3,616,125</u>
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13. FINANCE, DEPARTMENT OF — CAPITOL MOVING:

(a) Special Services Program, Estimated		96,430
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SOURCE OF FUNDS:

(1) State General Fund	<u>96,430</u>	
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Total Department of Finance — Capitol Moving	96,430	96,430
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14. DEPARTMENT OF
FINANCE — EMPLOYEES'
SUGGESTION AWARDS
PROGRAM:

(a) Fiscal Management Pro- gram.....		9,643
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SOURCE OF FUNDS:

(1) State General Fund	9,643	
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In accordance with Section 36-
1-7, Code of Alabama 1975.

Total Department of Finance — Employees' Suggestion Awards Program	9,643	9,643
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15. FINANCE — FEMA,
DEPARTMENT OF:

(a) Readiness and Recovery Program, Estimated.....		500,000
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SOURCE OF FUNDS:

(1) State General Fund	500,000	
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Total Department of Finance — FEMA.....	500,000	500,000
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The above appropriation to the
Department of Finance —
FEMA from the State Gen-
eral Fund is conditioned
upon the declaration of a nat-
ural disaster area by the
President of the United
States and conditioned fur-
ther upon the requirement by
the Federal Emergency Man-
agement Agency of the State
of Alabama to pay a state
match for FEMA grants.

16. FOREST FIRE FUND,
EMERGENCY:

(a) Forest Resources Protec- tion and Development Program.....		180,000
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SOURCE OF FUNDS:

(1) State General Fund — Transfer	180,000	
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The appropriation to the
Emergency Forest Fire Fund
shall be conditional as pro-
vided by Section 9-3-10.1,
Code of Alabama 1975 and
shall remain in the State
General Fund until a demon-
strated need is determined
and recommended by the
State Finance Director and
approved by the Governor.

Total Emergency Forest Fire Fund.....	<u>180,000</u>	<u>180,000</u>
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17. GOVERNOR'S CONFER-
ENCE, NATIONAL:

(a) Executive Direction Pro- gram, Estimated		153,420
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SOURCE OF FUNDS:

(1) State General Fund	<u>153,420</u>	
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Total National Governor's Conference.....	<u>153,420</u>	<u>153,420</u>
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18. GOVERNOR'S PROCLA-
MATION EXPENSES:

(a) Executive Direction Pro- gram, Estimated		192,860
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SOURCE OF FUNDS:

(1) State General Fund	<u>192,860</u>	
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As provided in Section 17-14-
21, Code of Alabama 1975.

Total Governor's Proclamation Expenses.....	<u>192,860</u>	<u>192,860</u>
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19. LAW ENFORCEMENT
FUND:

(a) Criminal Investigation Program, Estimated.....		19,286
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SOURCE OF FUNDS:

(1) State General Fund	19,286	
As provided in Sections 28-4-311 and 28-4-312, Code of Alabama 1975.		
Total Law Enforcement Fund ..	19,286	19,286

20. LAW ENFORCEMENT
LEGAL DEFENSE:

(a) Legal Advice and Legal Services Program, Estimated.		2,893
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SOURCE OF FUNDS:

(1) State General Fund	2,893	
To carry out provisions of Section 36-21-1, Code of Alabama 1975.		
Total Law Enforcement Legal Defense	2,893	2,893

21. MILITARY — EMERGENCY ACTIVE DUTY
PAY:

(a) Military Operations Program, Estimated		192,860
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SOURCE OF FUNDS:

(1) State General Fund	192,860	
As provided in Section 31-2-133, Code of Alabama 1975.		
Total Military — Emergency Active Duty Pay	192,860	192,860

22. PRESIDENTIAL ELECTORAL
EXPENSE:

(a) Special Services Program, Estimated		1,929
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SOURCE OF FUNDS:

(1) State General Fund	1,929	
As provided in Section 17-19-8, Code of Alabama 1975.		
Total Presidential Electoral Expense	1,929	1,929

23. PRINTING OF CODE
SUPPLEMENTS — LEG-
ISLATIVE REFERENCE
SERVICE:

(a) Legislative Operations and Support Program, Estimated	289,290
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SOURCE OF FUNDS:

(1) State General Fund	289,290
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As provided in Section 29-7-6,
Code of Alabama 1975.

Total Printing of Code Sup- plements — Legislative Reference Service	289,290	289,290
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24. PRINTING CODES AND
SUPPLEMENTS — SEC-
RETARY OF STATE:

(a) Administrative Support Services Program, Esti- mated	159,110
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SOURCE OF FUNDS:

(1) State General Fund	159,110
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As provided in Sections 41-21-
1 through 41-21-8 and 41-4-
154, Code of Alabama 1975.

Total Printing Codes and Supplements — Secretary of State	159,110	159,110
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25. PRINTING OF LEGISLA-
TIVE ACTS AND JOUR-
NALS:

(a) Administrative Support Services Program, Esti- mated	482,150
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SOURCE OF PUNDS:

(1) State General Fund	482,150
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As provided in Sections 41-4-
130 through 41-4-161, Code
of Alabama 1975.

Total Printing of Legislative Acts and Journals	482,150	482,150
26. REGISTRATION OF VOTERS:		
(a) Special Services Program, Estimated		1,494,665
SOURCE OF FUNDS:		
(1) State General Fund	1,494,665	
In accordance with Sections 17-4-126 and 17-4-153, Code of Alabama 1975.		
Total Registration of Voters	1,494,665	1,494,665
27. REMOVAL OF PRISONERS:		
(a) Administrative Services and Logistical Support Program, Estimated.....		371,256
SOURCE OF FUNDS:		
(1) State General Fund	371,256	
As provided in Sections 15-10-70 through 15-10-73, 15-9-62, 15-9-65 and 15-9-81, Code of Alabama 1975.		
Total Removal of Prisoners.....	371,256	371,256
28. STATE GENERAL FUND, ESTIMATED BUT NOT LESS THAN		57,000,000
SOURCE OF FUNDS:		
(1) Heritage Trust Income Fund Transfer, Estimated but not less than.	57,000,000	
All income other than income realized on sale of Trust Fund assets and not otherwise appropriated herein.		
Total State General Fund, Estimated but not less than	57,000,000	57,000,000
2E. DEBT SERVICE FUNDED FROM THE STATE GENERAL FUND:		

1. General Obligation Capital Improvement Bonds, Series B, Estimated.....	1,078,250
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SOURCE OF FUNDS:

(1) State General Fund, Estimated	1,078,250
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Total General Obligation Capital Improvement Bonds, Series B, Estimated.....	1,078,250	1,078,250
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2. General Obligation Coosa Waterway Bonds, Series A and B, Estimated	1,013,700
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SOURCE OF FUNDS:

(1) State General Fund, Estimated	1,013,700
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Total General Obligation Coosa Waterway Bonds, Series A and B, Estimated ...	1,013,700	1,013,700
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3. General Obligation Docks Facilities Bonds, Series C, Estimated	1,194,500
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SOURCE OF FUNDS:

(1) State General Fund, Estimated	1,194,500
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Total General Obligation Docks Facilities Bonds, Series C, Estimated	1,194,500	1,194,500
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4. Music Hall of Fame Bonds, Estimated	354,120
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SOURCE OF FUNDS:

(1) State General Fund, Estimated	354,120
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Pursuant to Constitutional Amendment No. 489 as provided in Act 88-549, 1988 Regular Session.

Total Music Hall of Fame Bonds, Estimated.....	354,120	354,120
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5. Tennessee-Tombigbee Waterway Bonds, Series C and D, Estimated	2,720,585
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SOURCE OF FUNDS:

(1) State General Fund, Estimated	2,720,585	
Pursuant to Constitutional Amendment No. 270 as pro- vided in Act No. 248, 1967 Regular Session.		
Total Tennessee-Tombigbee Waterway Bonds, Series C and D, Estimated	<u>2,720,585</u>	<u>2,720,585</u>

6. Corrections Institution Bonds, Estimated	1,599,500
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SOURCE OF FUNDS:

(1) State General Fund, Estimated	1,599,500	
Pursuant to Constitutional Amendment No. 374 as pro- vided for in Act No. 134, 1978 Second Special Session.		
Total Corrections Institution Bonds, Estimated	<u>1,599,500</u>	<u>1,599,500</u>

7. General Obligation Capital Bonds, 1982, Series A and B, and General Obligation Refunding Bonds, 1983, Series A and B, Estimated ...	58,152,956
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SOURCE OF FUNDS:

(1) State General Fund, Estimated	<u>58,152,956</u>	
Total General Obligation Capital Bonds, 1982, Series A and B, and General Obliga- tion Refunding Bonds, 1983, Series A and B, Estimated	58,152,956	58,152,956
8. General Obligation Capital Bonds, 1990 Series, Estimated		1,931,850

SOURCE OF FUNDS:

(1) State General Fund, Estimated.....	1,931,850	
Pursuant to Constitutional Amendment No. 510 as pro- vided for in Act 89-799, 1989 Regular Session.		
Total General Obligation Capital Bonds, 1990 Series, Estimated.....	1,931,850	1,931,850

SECTION 3. In addition to all other appropriations from the State General Fund, there is hereby conditionally appropriated the following amounts to the following agencies for the fiscal year beginning October 1, 1991 to be conditioned on the availability of funds in the State General Fund, the recommendation of the State Finance Director and the approval of the Governor.

AGENCY	CONDITIONAL APPROPRIATION
A) DEPARTMENT OF CON- SERVATION AND NATU- RAL RESOURCES — FOR CAPITAL IMPROVEMENTS TO STATE PARKS	\$ 750,000
B) DEPARTMENT OF COR- RECTIONS	\$6,000,000
C) DEPARTMENT OF ENVI- RONMENTAL MANAGE- MENT — FOR WATER POLLUTION CONTROL AUTHORITY	\$4,900,000
D) DEPARTMENT OF PUB- LIC HEALTH	\$3,000,000
E) DEPARTMENT OF MEN- TAL HEALTH AND MEN- TAL RETARDATION	\$3,500,000
F) STATE PERSONNEL DEPARTMENT	\$ 450,000
G) DEPARTMENT OF PUB- LIC SAFETY	\$3,500,000
H) DEPARTMENT OF PAR- DONS AND PAROLES	\$3,000,000

I) UNIFIED JUDICIAL SYSTEM	\$2,000,000
J) MILITARY DEPARTMENT	\$ 100,000
K) SECOND INJURY TRUST FUND	\$ 500,000

The above conditional appropriation to the Second Injury Trust Fund of \$500,000 is to be a first priority conditional appropriation.

SECTION 4. That, except as may be herein otherwise provided, amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. That the amounts herein appropriated are the maximum amounts to be expended for the purposes herein designated and in no event shall the maximum expenditure provided for any items of expense exceed the amount allocated herein except as may be provided for under Sections 7 and 8 of this bill, as provided in the Budget Management Act of 1976, Sections 41-19-1 et seq., Code of Alabama 1975, and those appropriations herein made, except appropriations to the Alabama Alcoholic Beverage Control Board for the purchase of alcoholic beverages, are and shall be subject to the terms, conditions, provisions and limitations of Sections 41-4-80 et seq., Code of Alabama 1975, and the Budget Management Act of 1976, Sections 41-19-1 et seq., Code of Alabama 1975.

SECTION 5. That any surplus remaining in any appropriation herein made from the State General Fund to any office, department, bureau, board, commission or agency may be transferred, on order of the Governor, to any other appropriation herein made from the State General Fund when such appropriation to any office, department, bureau, board, commission or agency is insufficient to pay salaries in that office, department, bureau, board, commission or agency.

SECTION 6. In addition to appropriations herein made, all gifts, grants, contributions or entitlements, in excess of the amount carried in the bill, including grants by the Congress of the United States, municipalities or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are reappropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purposes for which the grant or contribution was or shall be made. Further, all state, county, municipal and educational entities are authorized to disburse such sums as deemed necessary by mutual agreement between said entities and the State of Alabama, Department of Examiners of Public Accounts to partially defray the cost of auditing services performed by said agency. All such sums are hereby appropriated and

reappropriated if necessary to the Department of Examiners of Public Accounts for audit services, to be expended through the fund established by Section 41-5-24, Code of Alabama 1975.

SECTION 7. All interest earned from funds paid into Account No. 396 (formerly Account No. 305735) by Act 87-761, Act 88-947, Act 89-79 and Act 90-556 are hereby appropriated to the Governor's Contingency Fund to be spent at the discretion of the Governor. Any other interest earned by the state from Revenue Sharing Investments under the State and Local Fiscal Assistance Act of 1972, as amended, Public Law 92-512, 92nd Congress, together with any accruals or reversions thereon are hereby appropriated to the State General Fund.

SECTION 8. The Legislature hereby urges any agency receiving funds appropriated in this Act to maintain its central administrative and service operating facility in the downtown-Capitol complex area of Montgomery. This provision shall not apply to county service facilities outside of Montgomery County.

SECTION 9. All encumbered balances of a previous fiscal year appropriation, other than the exclusions authorized in Section 41-4-93, Code of Alabama 1975, shall lapse on September 30 of the fiscal year immediately following the fiscal year for which the appropriation was made and shall revert to the credit of the State General Fund or earmarked fund from which the appropriation or appropriations were made.

SECTION 10. The appropriations made herein to the departments, boards, offices, commissions and agencies include the amounts necessary and said departments, boards, offices, commissions and agencies are hereby directed to make the transfer of funds to the State Personnel Department in said amounts enumerated in Section 2C, Subsection 103.

SECTION 11. That, if any section, paragraph, sentence, clause, provision or portion of this Act or all or any portion of any appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

SECTION 12. That all laws and parts of laws, general, special, private or local in conflict with or inconsistent with the provisions of this Act be and the same are hereby expressly repealed.

SECTION 13. That each agency of the State funded through the provisions of this budget shall provide an equal opportunity for employment and business opportunities for all citizens of this state without regard to sex or race.

SECTION 14. That this Act shall become effective October 1, 1991.

Approved September 13, 1991

Time: 5:35 P.M.

Act No. 91-739

S.J.R. 5 — Senator Lindsey

SENATE JOINT RESOLUTION

DESIGNATING THE CHRISTMAS ON THE RIVER BARBECUE COOK-OFF AS THE OFFICIAL STATE BARBECUE CHAMPIONSHIP.

WHEREAS, a pork cook-off, initiated in Demopolis in 1989 as a part of the Christmas on the River festivities, has become known as the Christmas on the River (C.O.T.R.) Barbecue Cook-off; and

WHEREAS, the C.O.T.R. Barbecue Cook-off is a sanctioned event involving teams from nine states, 75 judges and 8,000 barbecue enthusiasts; the three categories included in the competition are ribs, shoulders and whole hog, and the event's grand champion is eligible to participate in the World Championship "Memphis in May Barbecue Cooking Contest"; and

WHEREAS, the only barbecue cook-off sanctioned as an international festival, the Memphis competition boasts 160 teams, as well as a world grand champion similar to the Demopolis event; and

WHEREAS, many of the teams which are judged on congeniality, showmanship and cooking, are attired in colorful outfits and are known by such distinctive names as Apple City Cookers, Heavenly Hogs, Plastered Porkers, Pete's Devine Swines, Swine Time and Great Boars of Fire, among others; and

WHEREAS, in December 1991, some 40 to 50 teams are expected to take part in the Demopolis C.O.T.R. Barbecue Cook-off, an event that continues to attract numerous in-state and out-of-state competitors who express their appreciation for the unequalled hospitality and cooperation they receive in Demopolis; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby designate the Demopolis Christmas on the River Barbecue Cook-off as the official Alabama State Barbecue Championship.

BE IT FURTHER RESOLVED, That we also commend and encourage all those who work tirelessly to make this outstanding event so highly successful, and express to them and the competition's participants our deep appreciation for their widespread promotion of the City of Demopolis and the State of Alabama.

RESOLVED FURTHER, That copies of this resolution be provided for presentation to both the Demopolis C.O.T.R. Barbecue Cook-off and the Memphis in May International Festival.

Approved September 18, 1991

Time: 4:40 P.M.

Act No. 91-740

S.J.R. 7 — Senators Waggoner and Amari

SENATE JOINT RESOLUTION

HONORING THE LATE FRANCIS MARION HENDLEY, II.

WHEREAS, Francis Marion "Frank" Hendley, II, son of the former Loula Mae Dixon of Upton, Kentucky, and Seay Smith Hendley of Fountain Run, Kentucky, was born February 24, 1917, in Birmingham, Alabama; and

WHEREAS, Frank Hendley attended Norwood Grammar and Phillips High School of Birmingham, completing the 11th grade in 1933; and

WHEREAS, Frank Hendley volunteered in the United States Coast Guard Reserves September 21, 1942, at Nashville, Tennessee, and served in the Pacific Theater during World War II with the Amphibious Forces which were issued a Commendation January 11, 1943, by Admiral Chester W. Nimitz, Commander-in-Chief of the U.S. Pacific Fleet; Mr. Hendley was honorably discharged October 10, 1945, with the rank of Boatswains Mate 2nd Class with such decorations as the World War II Victory Medal, Asiatic Pacific Campaign Medal with two Battle Stars, American Campaign Medal and the Coast Guard's Good conduct Medal; and

WHEREAS, Frank Hendley married the former Martha Elizabeth Edmondson of Gainsville, Georgia, and of this union were born five children: Mrs. Joyce H. Todd of Raleigh, N.C.; Patricia H. Kitching of Atlanta, Georgia; the Reverend George M. Hendley of Dallas, Texas; Ginger H. Lanier of Naples, Florida; and the Reverend Dan Dixon Hendley of Palm Bay, Florida; and

WHEREAS, Frank Hendley started work with the Gordon Foods Company in 1938 and was ultimately promoted to regional

manager for Indiana, Kentucky and Tennessee by company vice president; and

WHEREAS, upon moving to Florida in 1952, Mr. Hendley joined a real estate firm in Silver Springs as a salesman and later became a partner in Craggs & Hendley Realtors as well as a real estate broker; and

WHEREAS, Frank Hendley entered politics in 1964 for the office of Marion County Tax Assessor, but was defeated in the primary; in 1968, Frank Hendley waged a valiant campaign defending the "Homestead Exemption", but was defeated after a hard fight; and

WHEREAS, Francis M. "Frank" Hendley, II, was elected the first national president of The Hendley Family Association, Inc., on November 22, 1975, leading the association with distinction during his term of office (1976-1977); and

WHEREAS, Frank Hendley made many contributions to both the business and public communities as a rancher, cattleman, real estate broker and salesman, and as a valiant seaman, public servant and dedicated family man; and

WHEREAS, Frank Hendley, who passed away November 15, 1986, was indeed a man of great influence and commitment who long and well served his communities of residence, and his contributions to the States of Alabama, Indiana, Kentucky, Tennessee and Florida, as well as The Hendley Family Association, are a legacy of great and lasting impact; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we herein pay sincere and final tribute to the late Francis Marion Hendley, II, a beloved native son in whom we are justly proud.

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted to The Hendley Family Association, Inc., which Mr. Frank Hendley served as first national president.

Approved September 18, 1991

Time: 4:42 P.M.

Act No. 91-741

S.J.R. 9 — Senator Sanders

SENATE JOINT RESOLUTION

CONGRATULATING DEEATRA SUZETTE SEABORN,
ALABAMA'S 1991 "MISS TEEN OF AMERICA."

WHEREAS, Deeatra Suzette Seaborn, daughter of Mr. and Mrs. Eli Seaborn of White Hall, Alabama, was crowned Alabama's 1991 "Miss Teen of America" during the competition's Scholarship and Recognition Pageant held in Montgomery, August 16-18; and

WHEREAS, Miss Seaborn competed for the distinguished title of Alabama's "Miss Teen of America" with fifty-one other young ladies, ages 13-18, who represented forty-eight cities throughout the State; and

WHEREAS, as the State's 1991 "Miss Teen of America," Miss Seaborn will receive a \$1,000 scholarship; will represent Alabama in national competition for the title of "Miss Teen America"; and will receive expense-paid trips for this year's pageant and for next year's state competition for the 1992 title; and

WHEREAS, Miss Seaborn currently is enrolled as a sophomore at Central High School where she has served as president of her class, president of the Science Club, was a member of the Flag Corps, and reigned as the 1990 Central High School Homecoming Queen; she also is a member of the Unity Baptist Church in White Hall where she is president of the Junior Choir and is involved in the Junior Mission and Sunday School programs; and

WHEREAS, participants in the State "Miss Teen America" contest were judged on the basis of personality projection, poise, and how they conducted themselves in an interview setting, and this body takes great pride and pleasure in Miss Seaborn's representation of Lowndes County and the State of Alabama in the forthcoming national competition for 1991 "Miss Teen of America"; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most heartily congratulate and commend Alabama's 1991 "Miss Teen of America," Deeatra Suzette Seaborn of White Hall, Alabama, whom we wish every future success in life and to whom a copy of this resolution shall be presented.

Approved September 18, 1991

Time: 4:44 P.M.

Act No. 91-742

S.J.R. 11 — Senator Little

SENATE JOINT RESOLUTION

MOURNING THE DEATH OF HOMER WRIGHT, JR., OF AUBURN, ALABAMA.

WHEREAS, it is with deep sadness and regret that the Legislature of Alabama records the death of Homer Wright, Jr., of Auburn, Alabama, on April 19, 1991, at the age of 70 years; and

WHEREAS, Mr. Wright, who was widely and affectionately known as "Jug," was a lifelong resident of Auburn and a descendent of East Alabama pioneer families; he was a graduate of the Auburn University School of Pharmacy and was a United States Marine Corps veteran of World War II, having served on active duty from 1942-1946; and

WHEREAS, upon graduation from Auburn, Mr. Wright established Thrasher-Wright, a retail department store, in which he was active in management for a number of years, and in later years, pursued a career in advertising sales; and

WHEREAS, Mr. Wright, among numerous civic and community involvements, had been active in the Chamber of Commerce, was a former member of the Kiwanis Club and, at the time of his lamentable death, had been a member of the First Baptist Church for 59 years; and

WHEREAS, "Jug" Wright, an avid sportsman and a member of the Auburn golf team as a collegian, served as an official basketball scorer for 30 years, as Auburn football statistician for 38 years, and was active with Auburn's Little League program for many years, serving as president in 1955-1956; and

WHEREAS, the death of Homer "Jug" Wright, Jr., has indeed left an unfathomable void in the life of his community, and in the hearts of his beloved family and friends who are sorely bereft in their deep and grievous loss; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we are greatly saddened by the death of Homer Wright, Jr., of Auburn, Alabama, and extend sincere sympathy to his wife, Mrs. Wanda Baker Wright; to his children, Elizabeth Ann Hart, Homer Wright, III, Jack Covington Wright and Martha Stockton Wright; to his stepchildren, Shirley H. King, Sherry H. DeBardeleben and Clark Hungerford; and to other family members, whose sorrow we share and for whom a copy of this resolution shall be provided.

Approved September 18, 1991

Time: 4:45 P.M.

Bennett, Bolling, Campbell,
 Corbett, Denton, Dial, Dixon,
 Ellis, Figures, Floyd, Foshee,
 Ghee, Hale, Hilliard, Horn,
 Langford, Lindsey, Lipscomb,
 Little, Mitchell, Mitchem,
 Owens, Parsons, Preuitt,
 Sanders, B. Smith, J. Smith,
 Waggoner, Wilson and Windom

SENATE JOINT RESOLUTION

MOURNING THE DEATH OF WILLIAM FITTS O'CONNOR OF TUSCALOOSA, ALABAMA.

WHEREAS, the Legislature of Alabama grievously records the death of William Fitts O'Connor of Tuscaloosa, Alabama, on September 5, 1991, at the age of 64 years; and

WHEREAS, a veteran of World War II and a graduate of the University of Alabama, Mr. O'Connor was a prominent civic leader who served on the Tuscaloosa Board of Adjustments for many years, and was active as well in dedicated support of numerous other charitable, social and community affairs; and

WHEREAS, Mr. O'Connor, who had retired recently from the State Department of Mental Health, also was a longtime and highly successful homebuilder in the Tuscaloosa area; he further was an outstanding golfer, a former state amateur champion and was director emeritus of the Alabama State Golf Association; and

WHEREAS, in the lamentable death of William Fitts O'Connor, the Tuscaloosa community and the State of Alabama have indeed suffered a great and grievous loss of an outstanding patriot, citizen and public servant whose many significant contributions were of lasting impact, and to the great good and well-being of his fellowman; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That even as we mourn his death, we give thanks for the life and service of William Fitts O'Connor of Tuscaloosa, Alabama, and extend our most heartfelt sympathy to his wife, Jean Townsend O'Connor; daughters, Frances Morgan and Julia O'Connor; sons, William F. Jr., Talty, Michael B. and Patrick Sheperd O'Connor; and to other family members, for whom a copy of this resolution of sincere condolence shall be provided.

Approved September 18, 1991

Time: 4:46 P.M.

Act No. 91-744

S.J.R. 13 — Senators Foshee, Little,
Preuitt and Corbett

SENATE JOINT RESOLUTION

DESIGNATING THE WEEK OF JULY 12, 1992, "CIVITAN INTERNATIONAL WEEK" IN HONOR OF THEIR SEVENTY-FIFTH ANNIVERSARY OF SERVICE.

WHEREAS, Civitan International is an outstanding service organization which was founded in Birmingham, Alabama, on March 17, 1917, by Dr. Courtney W. Shropshire and other concerned business leaders to address the human needs of their day and its first major project was raising \$25,000.00 to keep Children's Hospital of Alabama operating; and

WHEREAS, today over 1,800 local service clubs throughout north America, Europe and Asia proudly bear the name Civitan and approximately 60,000 members serve the needs of their local communities particularly through projects: building youth leadership in over 600 Junior Civitan Clubs, the Shropshire Scholarship Fund, volunteer projects for the mentally retarded and handicapped, clergy appreciation, and local, state and International Summer Special Olympics; and

WHEREAS, Civitan International donated approximately \$1.6 million and had a record of 1,200 volunteers in each the 1987 and 1991 International Summer Special Olympics Games and was designated as a Premiere Sponsor; and

WHEREAS, Civitans from around the world continue to be a beacon of hope to those less fortunate and is one of the five leading service organizations of the world; it has maintained its worldwide headquarters in Birmingham, Alabama, for all of its 75 years; and

WHEREAS, the Civitan International Foundation \$20 million grant, made in 1989 and payable over 20 years for the Civitan International Research Center, to the University of Alabama at Birmingham was the largest single private gift to that major university and will provide world-class research for the causes, treatments and cures for mental retardation and developmental disabilities; and its volunteers contribute over \$26 million annually in time, energy and personal funds to many worthwhile projects to help the young, the elderly and needy of the world as well as in Alabama; and

WHEREAS, Civitans from around the globe will convene in Birmingham, Alabama, for the official grand opening of the Civitan International Research Center and its annual convention the week of July 12, 1992; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it is an appropriate honor of Civitans on their Diamond Anniversary of 75 years of community leadership and service, to designate the week of July 12, 1992, in praise of their many contributions to the world and we do hereby name the week of July 12, 1992, as "Civitan International Week" in the State of Alabama.

BE IT FURTHER RESOLVED, That we call upon all citizens of the state to salute this outstanding organization and its members and direct that a copy of this resolution be sent forthwith to President Polly Mooney at the Civitan International Headquarters so that all Civitans may know of our deep admiration, pride and appreciation.

Approved September 18, 1991

Time: 4:47 P.M.

Act No. 91-745

S.J.R. 15 — Senators Little and Foshee

SENATE JOINT RESOLUTION

COMMENDING MRS. THELMA CHAPMAN DIXON OF ANDALUSIA, ALABAMA.

WHEREAS, it is with highest commendation that the Legislature of Alabama notes the conferral by Auburn University of an honorary doctor of science degree upon Mrs. Thelma Chapman Dixon of Andalusia, Alabama, at summer commencement on August 30, 1991; and

WHEREAS, Mrs. Thelma Dixon and her sister-in-law, Mrs. Martha Dixon, were the recipients of Auburn University's 118th and 119th honorary doctoral degrees, and only the second and third women to be so recognized since Auburn's first honorary degree was bestowed in 1883; and

WHEREAS, Mrs. Thelma Dixon, who became chair of the board of Dixon Lumber Company upon the death of her husband, Charles, provided funding for an auditorium/classroom complex in the Solon Dixon Forestry Education Center which opened in 1980; the complex was named for her late husband who was Solon Dixon's brother; and

WHEREAS, other support provided by Mrs. Thelma Dixon includes the university libraries, general and athletic scholarship programs, College of Business, School of Forestry, the Alumni

Center, Alabama Cooperative Extension Service, the University Singers and the Auburn University Conference Center; and

WHEREAS, she further serves on the board of directors of the Andalusia Public Library, Covington County Bank and Southern National Corporation; is a member of the Forest Farmers Association, American Forest Association and Alabama Wildlife Federation; is listed in "Who's Who of American Women," "Who's Who in Finance and Industry" and "The World Who's Who of Women"; and is the recipient of the Auburn University School of Forestry's Service Award (1986) and the Andalusia Chamber of Commerce's President's Award (1987); now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend Mrs. Thelma Chapman Dixon of Andalusia, Alabama, as one of our state's most outstanding philanthropists, and do further direct that she receive a copy of this resolution, executed in warmest personal regard and with deepest gratitude for her many notable contributions to Auburn University and the State of Alabama.

Approved September 18, 1991

Time: 4:48 P.M.

Act No. 91-746

S.J.R. 16 — Senators Little and Foshee

SENATE JOINT RESOLUTION

COMMENDING MRS. MARTHA BELVIN DIXON OF ANDALUSIA, ALABAMA.

WHEREAS, it is with highest commendation that the Legislature of Alabama notes the conferral by Auburn University of an honorary doctor of science degree upon Mrs. Martha Belvin Dixon of Andalusia, Alabama, at summer commencement on August 30, 1991; and

WHEREAS, Mrs. Martha Dixon and her sister-in-law, Mrs. Thelma Dixon, were the recipients of Auburn University's 118th and 119th honorary doctoral degrees, and only the second and third women to be so recognized since Auburn's first honorary degree was bestowed in 1883; and

WHEREAS, in the late 1970's, Mrs. Martha Dixon and her husband Solon Dixon, now deceased, began consolidating properties around their homestead in Andalusia and arranged for the

donation of more than 5,000 acres to Auburn University for the establishment of the Solon Dixon Forestry Education Center which opened in 1980, and is now the nation's premier forest field education facility; and

WHEREAS, Mrs. Dixon, as president of both the Solon and Martha Dixon Foundation, and the Gunter-Dixon Foundation, gave \$100,000.00 to the University to construct an administration building at the Dixon Center which the university named in her honor; and

WHEREAS, she and her late husband made gifts to the Alabama Agricultural Experiment Station and to the Auburn University Conference Center as well; and

WHEREAS, Mrs. Martha Dixon, who served in the Women's Army Corps attached to the Army Air Corps Weather Service (1943-46), also worked for Alatex Corporation for over 30 years, and is a member of the LBW College Foundation Board, Covington Arts Council and the Andalusia Ballet Association, among other civic and community endeavors; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend Mrs. Martha Belvin Dixon of Andalusia, Alabama, as one of our state's most outstanding philanthropists, and do further direct that she receive a copy of this resolution, executed in warmest personal regard and with deepest gratitude for her many notable contributions to Auburn University and the State of Alabama.

Approved September 18, 1991

Time: 4:49 P.M.

Act No. 91-747

S.J.R. 17 — Senator Dixon

SENATE JOINT RESOLUTION

INVITING HIS ROYAL HIGHNESS PRINCE KHALED BIN SULTAN BIN ABDULAZIZ OF SAUDI ARABIA TO ADDRESS THE LEGISLATURE.

WHEREAS, His Royal Highness Prince Khaled bin Sultan bin Abdulaziz earned the Master of Political Science degree from Auburn University at Montgomery and graduated with honors from the Air War College at Maxwell Air Force Base; and

WHEREAS, the Auburn University Board of Trustees has authorized Auburn University at Montgomery to confer an honorary Doctorate of Humanities on His Royal Highness during the December 1991 commencement exercises; and

WHEREAS, Prince Khaled will be the first member of the ruling family in Saudi Arabia to receive an honorary degree from an American university; and

WHEREAS, during operations Desert Storm and Desert Shield, Lieutenant General Prince Khaled was commander of the joint Arab forces and was awarded the Sash of King Abdulaziz; and

WHEREAS, within the past year His Royal Highness has been awarded the Legion of Merit (Degree of Commander) from President of the United States George Bush; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That His Royal Highness Prince Khaled bin Sultan bin Abdulaziz is invited to address a Joint Session of the Alabama Legislature should his visit coincide with a Special Session of the Alabama Legislature, or at a time in the future when Prince Khaled's schedule permits.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to Prince Khaled that he may know of this respectful request of the Legislature, extended in hopeful anticipation that his schedule will allow an acceptance.

Approved September 18, 1991

Time: 4:50 P.M.

Act No. 91-748

H.J.R. 25 — Rep. Blakeney

HOUSE JOINT RESOLUTION

DESIGNATING THE CHRISTMAS ON THE RIVER BARBECUE COOK-OFF AS THE OFFICIAL STATE BARBECUE CHAMPIONSHIP.

WHEREAS, a pork cook-off, initiated in Demopolis in 1989 as a part of the Christmas on the River festivities, has become known as the Christmas on the River (C.O.T.R.) Barbecue Cook-off; and

WHEREAS, the C.O.T.R. Barbecue Cook-off is a sanctioned event involving teams from nine states, 75 judges and 8,000 barbecue enthusiasts; the three categories included in the competition

are ribs, shoulders and whole hog, and the event's grand champion is eligible to participate in the World Championship "Memphis in May Barbecue Cooking Contest"; and

WHEREAS, the only barbecue cook-off sanctioned as an international festival, the Memphis competition boasts 160 teams, as well as a world grand champion similar to the Demopolis event; and

WHEREAS, many of the teams which are judged on congeniality, showmanship and cooking, are attired in colorful outfits and are known by such distinctive names as Apple City Cookers, Heavenly Hogs, Plastered Porkers, Pete's Divine Swines, Swine Time and Great Boars of Fire, among others; and

WHEREAS, in December 1991, some 40 to 50 teams are expected to take part in the Demopolis C.O.T.R. Barbecue Cook-off, an event that continues to attract numerous in-state and out-of-state competitors who express their appreciation for the unequalled hospitality and cooperation they receive in Demopolis; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby designate the Demopolis Christmas on the River Barbecue Cook-off as the official Alabama State Barbecue Championship.

BE IT FURTHER RESOLVED, That we also commend and encourage all those who work tirelessly to make this outstanding event so highly successful, and express to them and the competition's participants our deep appreciation for their widespread promotion of the City of Demopolis and the State of Alabama.

RESOLVED FURTHER, That copies of this resolution be provided for presentation to both the Demopolis C.O.T.R. Barbecue Cook-off and the Memphis in May International Festival.

Approved September 18, 1991

Time: 4:35 P.M.

Act No. 91-749

S.J.R. 10 — Senator Sanders

SENATE JOINT RESOLUTION

URGING THE GOVERNOR OR HIS DESIGNEE TO ACT EXPEDITIOUSLY FOLLOWING THE CLOSE OF THE CURRENT FISCAL YEAR TO DETERMINE THE GUARANTEE AMOUNT TO BE PAID TO THOSE COUNTIES HAVING LESS THAN 25,000 POPULATION IN WHICH A COMMERCIAL SITE

FOR THE DISPOSAL OF HAZARDOUS WASTE OR HAZARDOUS SUBSTANCES IS LOCATED, PURSUANT TO §22-30B-2.1, CODE OF ALABAMA, 1972.

WHEREAS, Alabama Acts. No. 90-326 became effective July 15, 1990; and WHEREAS, Alabama Acts. No. 90-326 is codified at §22-30B-2.1, Code of Alabama, 1975; and

WHEREAS, §22-30B-2.1, Code of Alabama, 1975, at subsection (a), provides as follows:

“(a) There is hereby provided all counties having less than 25,000 population and wherein on April 17, 1990 a commercial site for the disposal of hazardous waste or hazardous substances is located an annual payment of two and one-half percent of the additional 18 dollars per ton gross receipts generated by subsection (a) and the additional 72 dollars per ton generated by subsection (b) of section 22-30B-2 that become effective July 15, 1990”; and

WHEREAS, §22-30B-2.1, Code of Alabama, 1975, at subsection (b), provides:

“(b) Said counties as identified in subsection (a) above are hereby guaranteed an amount not to exceed the lesser of \$4,200,000.00 or 100 percent of the receipts to the state paid on wastes or substances disposed of in said county. In determining whether said counties are entitled to receive benefit of all or any portion of the guarantee herein made, there shall be charged against said counties all receipts which they receive pursuant to this chapter and the provisions of Alabama Act 83-480 or other applicable local act”; and

WHEREAS, §22-30B-2.1, Code of Alabama, 1975, at subsection (c), provides:

“(c) Determination of entitlement to the guarantee shall be made annually by the governor or his designee not later than November 15. Such determination shall be the difference in those fees payable to the county under the provisions of this chapter and Alabama Act 83-480 and any other applicable local act for the 12-month period ending the previous September 30 as compared to the applicable guarantee amount”; and

WHEREAS, §22-30B-2.1, Code of Alabama, 1975, at subsection (d), provides, in part:

“(d) In the event the guarantee provided in subsection (b) is required to be exercised, the department of revenue shall, within 10 days of notification from the governor or his designee, certify to the state finance director that an appropriate amount as determined in subsection (c) from the first receipts generated by this act in each fiscal year shall be paid to the appropriate county commission”; and

WHEREAS, the Legislature restates and affirms its intent in passing §22-30B-2.1, Code of Alabama, 1975, that the guarantee amount to be paid to counties referenced above shall be paid from the first receipts generated by the fee enacted pursuant to §22-30B-2, Code of Alabama, 1975; and

WHEREAS, the current fiscal year ends September 30, 1991; and

WHEREAS, actual receipts from the fee imposed by §22-30B-2, Code of Alabama, 1975, have been dramatically lower than those projected by the Governor and the Finance Director for the current fiscal year; now, therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Governor or his designee to act as expeditiously as possible following the close of the current fiscal year to determine the guarantee amount to be paid to the above-referenced counties, pursuant to §22-30B-2.1, Code of Alabama, 1975; and

BE IT FURTHER RESOLVED, that specific recognition and acknowledgement of the guarantee amount to be paid to said counties from the first receipts of the above-referenced fees, pursuant to §22-30B-2.1, Code of Alabama, 1975, be made in projecting net revenues to the General Fund Budget of the State of Alabama for the 1992 Fiscal Year.

This Act became a law under Section 125 of the Constitution on September 19, 1991 without approval by the Governor.

Act No. 91-750

S. 3 — Senator deGraffenried

AN ACT

To amend Section 9-11-236, Code of Alabama 1975, relating to the hunting or taking of certain protected birds or animals during closed hunting season, so as to further prohibit the possession thereof; to provide further for certain prohibitions and penalties; and to repeal Section 9-11-239, Code of Alabama 1975.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 9-11-236, Code of Alabama 1975, is hereby amended to read as follows:

“§9-11-236.

“Any person who hunts, takes, catches, captures, kills or has in his possession or who attempts to hunt, take, catch, capture or kill,

any bird or animal protected by law or regulation of this state except during the open season when same may be hunted, taken, caught, captured or killed shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than \$50.00 nor more than \$500.00 and, at the discretion of the court, may also be imprisoned in the county jail for not longer than six months. Any person convicted the second time for violating this section shall be guilty of a misdemeanor and shall be punished by a fine of not less than \$100.00 nor more than \$500.00 and, at the discretion of the court, may also be imprisoned in the county jail for not longer than six months. Any person convicted for violating this section the third or subsequent times shall be guilty of a misdemeanor and shall be punished by a fine of not less than \$250.00 nor more than \$500.00 and, at the discretion of the court, may also be imprisoned in the county jail for not longer than six months. It is provided further that any person who hunts, takes, catches, captures, or kills, or attempts to hunt, take, catch, capture, or kill, a wild turkey in an illegal manner or during the closed hunting season, or has in his possession a wild turkey killed during the closed hunting season or taken in an illegal manner, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$250.00 nor more than \$500.00 and, at the discretion of the court, may also be imprisoned in the county jail for not longer than six months."

Section 2. Section 9-11-239, Code of Alabama 1975, is hereby expressly repealed in its entirety.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved September 19, 1991

Time: 3:30 P.M.

Act No. 91-751

H.J.R. 8 — Rep. Mikell

HOUSE JOINT RESOLUTION

REQUESTING THE ALCOHOLIC BEVERAGE CONTROL BOARD TO ADOPT RULES AND REGULATIONS TO PROHIBIT ISSUANCE OF ON-PREMISES BEER LICENSES TO LOCATIONS ADJACENT, WITHIN 100 FEET, OF A CHILD DAYCARE CENTER.

WHEREAS, the purpose of the Alabama Alcoholic Beverage Control Board is to regulate the sale, consumption and distribution

of alcoholic beverages in the best interests of the citizens of this state; and

WHEREAS, said board should be aware of the potential for negative influence on children that could emanate from a situation wherein an on-premises beer license has been granted to a business located within close proximity to a child daycare center; and

WHEREAS, it has come to our attention that the ABC Board has the rulemaking authority to regulate and control such licensing for the benefit of our youth; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby request that the Alcoholic Beverage Control Board adopt and implement such rules and regulations as shall be necessary to prohibit issuance of on-premises beer licenses to locations adjacent, within 100 feet, of a child daycare center.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded forthwith to the Administrator of the Alabama Alcoholic Beverage Control Board.

Approved September 19, 1991

Time: 3:34 P.M.

Act No. 91-752

S.J.R. 19 — Senators Bennett, Parsons
and Waggoner

SENATE JOINT RESOLUTION

MOURNING THE DEATH OF HAROLD G. HODGENS OF
BESSEMER, ALABAMA.

WHEREAS, grievously recorded is the untimely death of Harold G. (Hal) Hodgens, editor of the Western Star in Bessemer since 1984, on Sunday, September 8, 1991, at the age of 54 years; and

WHEREAS, Hal Hodgens, as editor of the Bessemer area's hometown newspaper, built the award-winning publication into a circulation of over 15,000; and

WHEREAS, in his role as a newspaper publisher, Mr. Hodgens also became a well-known community leader, running for mayor of Hueytown in 1984 and 1988; and

WHEREAS, in recognition of his interest in public affairs, he was appointed to a number of boards for such public agencies as

the Birmingham-Jefferson County Transit Authority and the Tannehill State Park Authority; he further served as past chairman of the Hueytown Industrial Development Board, among numerous other involvements; and

WHEREAS, a former advertising executive, he also was part-owner of WBUL Radio from 1976 to 1979 and was sales manager for WVOK Radio from 1958 to 1971; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we are deeply saddened by the death of Harold G. (Hal) Hodgens of Bessemer, Alabama, and express our most heartfelt sympathy to his wife, Mrs. Juanita Hodgens; son, Robert Gilbert; daughters, Mrs. Pamela Wells, Mrs. Sherry Kelly, Mrs. Pam Gilbert, Mrs. Cathy Berry and Mrs. Carla Jones; and to other family members, whose sorrow we share and for whom a copy of this resolution shall be provided.

Approved September 19, 1991

Time: 4:20 P.M.

Act No. 91-753

S.J.R. 20 — Senators Bailey, Corbett, Amari, Barron, Bedsole, Bennett, Bolling, Campbell, deGraffenried, Denton, Dial, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Owens, Parsons, Preuitt, Sanders, B. Smith, J. Smith, Waggoner, Wilson and Windom

SENATE JOINT RESOLUTION

DESIGNATING ACT 90-650 OF THE 1990 REGULAR SESSION THE W. FRED DYKES, JR., ECONOMIC DEVELOPMENT REVOLVING LOAN FUNDS ACT.

WHEREAS, Act 90-650, S. 62, of the 1990 Regular Session of the Alabama Legislature established the Economics Development Revolving Loan Funds; and

WHEREAS, this act will prove vital in the future economic and industrial development of the various regions of our state and will have a dramatic impact on the lives of our citizens; and

WHEREAS, Mr. W. Fred Dykes of Dothan, Alabama, was highly instrumental in guiding this legislation through the legislative process, negotiating the bill with the business community, the chamber of commerce and various state leaders, and the Alabama Department of Economic and Community Affairs; and

WHEREAS, Mr. Dykes diligently devoted innumerable hours discussing the proposed legislation with members of the House and the Senate and his efforts were most significant in insuring final passage of the act; and

WHEREAS, this act provides necessary financing for economic development in all regions of the state and is a significant statute which will have a far reaching impact on our state; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of the noble efforts of Mr. Dykes, Act 90-650, S. 62, of the 1990 Regular Session is hereby named and shall forever be known as the W. FRED DYKES, JR., Economic Development Revolving Loan Funds Act.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to Mr. Dykes so that he may be informed of this recognition.

Approved September 19, 1991

Time: 4:22 P.M.

Act No. 91-754

S.J.R. 22 — Senator Campbell

SENATE JOINT RESOLUTION

DESIGNATING THE MONTH OF OCTOBER 1991, AND EACH OCTOBER ANNUALLY THEREAFTER, AS "AVIATION HISTORY MONTH" IN THE STATE OF ALABAMA.

WHEREAS, the State of Alabama has held a prominent place in the history of aviation from 1910 to the present and, with frontiers yet to be explored, anticipates a continuing role in the forefront of conquests in flight; and

WHEREAS, going back in time to 1910, the nation's first school for powered flight was established by Orville and Wilbur Wright at the site of what is now Maxwell Air Force Base in Montgomery and it was there too that the first night flights in aviation history took place; and

WHEREAS, Maxwell Air Force Base also of course holds its own honored place in aviation history as does: Fort Rucker, the U. S. Army Aviation Flight Training Center; Tuskegee University, home of the famous "Tuskegee Airmen" where the military's first all-black flight training unit produced some of the best fighter pilots in World War II; and the NASA Marshall Space Flight Center in Huntsville; and

WHEREAS, in view of Alabama's aviation heritage, it is both fitting and desirable that our state's identity with man in flight be perpetually commemorated, and that such recognition coincide with the "Wings In Autumn International Air Show" at Courtland Air Base, Courtland, Alabama; and

WHEREAS, an annual October event sponsored by the Torch of Freedom Air Group, the air show is staged at the site of a U. S. training base for many of our nation's airmen during World War II, and features the most famous planes in national aviation history as well as simulated events involving aircraft from years gone by; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby name and designate the month of October, in 1991 and each October annually thereafter, as "Aviation History Month" in the State of Alabama, for the purpose of recognizing Alabama's unique and prominent role in aviation from 1910 to the present, and into the future.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to Colonel Jack Kimbrell, Commander, Torch of Freedom Air Group, Courtland, Alabama.

Approved September 19, 1991

Time: 4:24 P.M.

Act No. 91-755

H.J.R. 6 — Rep. Morrow

HOUSE JOINT RESOLUTION

DESIGNATING THE MONTH OF OCTOBER 1991, AND EACH OCTOBER ANNUALLY THEREAFTER, AS "AVIATION HISTORY MONTH" IN THE STATE OF ALABAMA.

WHEREAS, the State of Alabama has held a prominent place in the history of aviation from 1910 to the present and, with frontiers yet to be explored, anticipates a continuing role in the forefront of conquests in flight; and

WHEREAS, going back in time to 1910, the nation's first school for powered flight was established by Orville and Wilbur Wright at the site of what is now Maxwell Air Force Base in Montgomery and it was there too that the first night flights in aviation history took place; and

WHEREAS, Maxwell Air Force Base also of course holds its own honored place in aviation history as does: Fort Rucker, the U. S. Army Aviation Flight Training Center; Tuskegee University, home of the famous "Tuskegee Airmen" where the military's first all-black flight training unit produced some of the best fighter pilots in World War II; and the NASA Marshall Space Flight Center in Huntsville; and

WHEREAS, in view of Alabama's aviation heritage, it is both fitting and desirable that our state's identity with man in flight be perpetually commemorated, and that such recognition coincide with the "Wings In Autumn International Air Show" at Courtland Air Base, Courtland, Alabama; and

WHEREAS, an annual October event sponsored by the Torch of Freedom Air Group, the air show is staged at the site of a U. S. training base for many of our nation's airmen during World War II, and features the most famous planes in national aviation history as well as simulated events involving aircraft from years gone by; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby name and designate the month of October, in 1991 and each October annually thereafter, as "Aviation History Month" in the State of Alabama, for the purpose of recognizing Alabama's unique and prominent role in aviation from 1910 to the present, and into the future.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to Colonel Jack Kimbrell, Commander, Torch of Freedom Air Group, Courtland, Alabama.

Approved September 19, 1991

Time: 4:25 P.M.

Act No. 91-756

H.J.R. 5 — Rep. Campbell

HOUSE JOINT RESOLUTION

DESIGNATING ACT NO. 91-548, H. 95 OF THE 1991 REGULAR SESSION, THE WILLIAM J. DAVIS ACT.

WHEREAS, William J. Davis, a prominent civic leader and resident of Anniston, Alabama, since 1963, worked tirelessly to get House Bill 95 of the 1991 Regular Session enacted by the Legislature of Alabama relating to hospice licensure, and he gave his talents and energies to the local hospice programs in Talladega and Calhoun Counties, particularly in the Anniston area, for many years; and

WHEREAS, William J. Davis was a compassionate and caring person about his fellowmen and women which caused him to dedicate himself to serving others through many civic and cultural organizations; and

WHEREAS, William J. Davis served as President and Chairman of the Board of the Alabama Shakespeare Festival; he was a member of the State Advisory Council for Vocational Education and the State Blue Ribbon Citizen's Committee to Study Higher Education; and

WHEREAS, Mr. Davis served the State of Alabama with distinction, from 1978 to 1981, as Director of Industrial Relations during the administration of Governor Fob James and he held many important offices in textile and manufacturing associations and was respected for his outstanding marketing, sales and business acumen; and

WHEREAS, Mr. Davis used his talents and expertise incessantly in working for the passage of the Hospice Licensure Act, but he died on May 25, 1991, two months before its enactment and the realization of his dream; and

WHEREAS, William J. Davis was an outstanding and dedicated Alabamian who was a leader in business, the civic community and in public office; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we yet remain saddened by the death of William J. Davis of Anniston, Alabama, and yet we wish to honor the exemplary life of one who has steadfastly worked for the betterment of all.

BE IT FURTHER RESOLVED, That the Alabama Legislature does hereby name Act No. 91-548, H. 95 of the 1991 Regular Session, relating to the licensure of hospices, the "William J. Davis Act" in the memory of Mr. Davis.

RESOLVED FURTHER, That we do extend to his wife, Inga Davis, and to her family our deep and sincere sympathy and offer this commemorative resolution as a sign of our shared grief.

BE IT FURTHER RESOLVED, That Act No. 91-548 of the 1991 Regular Session shall forever be known as the William J.

Davis Act and the Clerk of the House is directed to cause sufficient copies of this resolution be sent to Mrs. Inga Davis and family so that they may know of our tribute to Mr. William J. Davis.

Approved September 20, 1991

Time: 1:40 P.M.

Act No. 91-757

H.J.R. 7 — Reps. Sanderford, Anderson, Barnes, Beasley, Biddle, Black (L), Black (M), Blakeney, Bowling, Box, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Cagle, Campbell, Carns, Carothers, Carter, Clark (J), Clark (W), Clay, Cosby, Crow, Cullins, Curry, Dolbare, Drake, Escott-Russell, Flowers, Ford, Freeman, Fuller, Gaines, Gaston, Goodwin, Grayson, Gullatt, Hall, Hamilton, Hammett, Haney, Harper, Harvey, Hawkins, Haynes, Higginbotham, Hill, Hogan, Holladay, Holley, Holmes, Hooper, Johnson, Kennedy, Knight, Kvalheim, Laird, Layson, Letson, Lindsey, Mathis, McClain, McDaniel, McDowell, McKee, McMillan, Melton, Mikell, Millican, Morrow, Morton, Newton (C), Newton (D), Parker (P), Parker (T), Payne, Penry, Perdue, Petelos, Poole, Powell, Rich, Richardson, Rockhold, Rogers (F), Rogers (J), Sanderson, Smith (C), Smith (R), Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White, Williams, Willis, Zoghby

HOUSE JOINT RESOLUTION

COMMENDING GENERAL CARL E. MUNDY, JR., USMC, MONTGOMERY, ALABAMA, ON HIS APPOINTMENT BY PRESIDENT GEORGE BUSH AS THE 30TH COMMANDANT OF THE UNITED STATES MARINE CORPS.

WHEREAS, as a graduate of Sidney Lanier High School of Montgomery, Alabama, General Carl Mundy, Jr., United States Marine Corps, was graduated from Auburn University in 1957, where he was commissioned Second Lieutenant in the Corps; and

WHEREAS, General Mundy's leadership and vast responsibilities earned for him positions which included: Commanding Officer of a Marine battalion, a Marine regiment and two Marine amphibious units, as well as staff positions at home and abroad which lead to his promotion in April 1982 to the rank of Brigadier General; and

WHEREAS, his military acumen from 1982 to 1986 caused him to be promoted to the rank of Major General and assigned as Director of Operations, United States Marine Corps; and in 1988, Carl E. Mundy was given the prestigious assignment as Deputy Chief of Staff to the Joint Chiefs of Staff and promoted to the rank of Lieutenant General; and was in 1990 then assigned simultaneously as the Commanding General Fleet Marine Force Atlantic, Commanding General Second Marine Expeditionary Force, Commander Allied Command Atlantic Marine Striking Force, and Commanding General Fleet Marine Force Europe; and

WHEREAS, in addition to his performance as a leader, General Mundy has distinguished himself as a graduate of the Marine Corps Command and Staff College and the Naval War College; and his superior personal performance and bravery have brought him recognition and he has been decorated with the Legion of Merit, the Bronze Star Medal with Combat V, the Purple Heart, two Navy Commendation Medals and the Vietnam Cross of Gallantry; and

WHEREAS, he is an inspiration for other Alabamians which include a number of friends from the years of his attendance at Sidney Lanier High School of Montgomery, Alabama, and at Auburn University; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend General Carl E. Mundy, Jr., USMC, on his appointment as Commandant of the United States Marine Corps and his achievements and distinguished military career.

BE IT FURTHER RESOLVED, that General Mundy receive a copy of this resolution executed in sincere praise and with warmest personal regard.

Approved September 20, 1991

Time: 1:42 P.M.

Act No. 91-758

H.J.R. 10 — Rep. Holley

HOUSE JOINT RESOLUTION

COMMENDING CHARLES WAYNE ROBERTS OF COFFEE COUNTY, ALABAMA, FOR 20 YEARS OF DEDICATED SERVICE TO THE ALABAMA FORESTRY COMMISSION.

WHEREAS, Charles Wayne Roberts has completed 20 years of dedicated service to the Alabama Forestry Commission and to the citizens of Coffee County; and

WHEREAS, Mr. Roberts has worked diligently to reduce the number of wildfires from an average of more than 100 per year to less than 60 per year, and has taken the lead in reducing the average fire size from nine acres to less than six acres per fire; and

WHEREAS, Mr. Roberts has assisted the citizens of Coffee County with numerous disasters, including tornadoes, hurricanes and, most recently, the floods of Elba, and, in his 20 years, has helped six communities to organize volunteer fire departments in the county; and

WHEREAS, through the years, Mr. Roberts has helped Coffee County landowners by prescribed burning many thousands of acres and installing many miles of permanent firelanes to protect these properties from dangerous wildfires; and

WHEREAS, Mr. Roberts has provided 17 Coffee County forest landowners with the necessary assistance to become certified as TREASURE Forest landowners; and

WHEREAS, Mr. Roberts has received the Ned Folmar Memorial Award in 1990 for outstanding contributions to forestry in Coffee County; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we wholeheartedly commend Mr. Charles Wayne Roberts for his untiring efforts to help bring our great forest resource into its fullest potential and

thereby enhance the lives of all citizens of Coffee County, ultimately affecting all Alabamians.

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted to the proper officials of the Alabama Forestry Commission and to Mr. Roberts.

Approved September 20, 1991

Time: 1:43 P.M.

Act No. 91-759

H.J.R. 11 — Reps. Williams, Mathis

HOUSE JOINT RESOLUTION

NAMING THE "ANDREW JACKSON HARDEN BRIDGE," ON HIGHWAY 84 OVER THE LITTLE CHOCTAWHATCHEE RIVER AT THE DALE/HOUSTON COUNTY LINE.

WHEREAS, Andrew Jackson and Sally Haisten Harden, a pioneer family of Dale County, Alabama, were the parents of four sons and five daughters; and

WHEREAS, Andrew Jackson Harden purchased 115 acres of land on Little Choctawhatchee River on October 15, 1903, which transaction is recorded in the Dale County Book of Deeds; and

WHEREAS, following the death of Andrew Jackson Harden in 1906, his wife and children continued to occupy the property until the death of Sally Haisten Harden in 1913; and

WHEREAS, Andrew Jackson Harden (1851-1906) was a prominent area citizen who was highly regarded throughout the community, and it is both fitting and proper that his memory be perpetuated in a lasting and meaningful manner; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby name and designate the bridge on U. S. Highway 84 spanning the Little Choctawhatchee River, at the Dale/Houston County line, the "Andrew Jackson Harden Bridge."

BE IT FURTHER RESOLVED, That the proper officials are hereby authorized to erect and maintain appropriate signs and markers so designating said "Andrew Jackson Harden Bridge."

Approved September 20, 1991

Time: 1:44 P.M.

Act No. 91-760

H.J.R. 12 — Reps. Clark (J), Anderson, Barnes, Beasley, Biddle, Black (L), Black (M), Blakeney, Bowling, Box, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Cagle, Campbell, Carns, Carothers, Carter, Clark (W), Clay, Cosby, Crow, Cullins, Curry, Dolbare, Drake, Escott-Russell, Flowers, Ford, Freeman, Fuller, Gaines, Gaston, Goodwin, Grayson, Gullatt, Hall, Hamilton, Hammett, Haney, Harper, Harvey, Hawkins, Haynes, Higginbotham, Hill, Hogan, Holladay, Holley, Holmes, Hooper, Johnson, Kennedy, Knight, Kvalheim, Laird, Layson, Letson, Lindsey, Mathis, McClain, McDaniel, McDowell, McKee, McMillan, Melton, Mikell, Millican, Morrow, Morton, Newton (C), Newton (D), Parker (P), Parker (T), Payne, Penry, Perdue, Petelos, Poole, Powell, Rich, Richardson, Rockhold, Rogers (F), Rogers (J), Sanderford, Sanderson, Smith (C), Smith (R), Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White, Williams, Willis, Zoghby

HOUSE JOINT RESOLUTION

MOURNING THE DEATH OF MAX NEWMAN OF MILL-
PORT, ALABAMA.

WHEREAS, it is with deep sadness and regret that the Legislature of Alabama records the death of Max Newman of Millport, Alabama, on July 31, 1991, at the age of 64 years; and

WHEREAS, widely and affectionately known as "Spider," Mr. Newman, at the time of his lamentable death, was serving his third term in the State Legislature, representing House District 16 which includes Fayette, Lamar and Marion Counties; and

WHEREAS, Spider Newman, a longtime teacher, coach and administrator, retired in 1981 as principal of Emma Sansom High School in Gadsden; he held the B.S., M.A., A.A. and Ed.S. degrees, and was a member of A.E.A., N.E.A. and N.A.S.S.P., among other professional organizations; and

WHEREAS, he also was a Lions Club Charter President and a member of the City Planning Committee, Chamber of Commerce and Propst Memorial United Methodist Church, where he served on the Board of Stewards; and

WHEREAS, not only was Representative Max Newman an effective legislator, but was a valued friend to the members of both the House and Senate, as well as to the extended legislative family, and his contributions to state, profession and community will be sorely missed; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of our good friend and colleague, Max "Spider" Newman of Millport, Alabama, and direct that a copy of this resolution be provided for his wife, Bebe; his children, David, Jeff, Anne and Michelle; and for other family members whose sorrow we sincerely share.

Approved September 20, 1991

Time: 1:45 P.M.

Act No. 91-761

H.J.R. 13 — Rep. Smith (C)

HOUSE JOINT RESOLUTION

COMMENDING THE MAPLESVILLE HIGH SCHOOL ATHLETIC PROGRAM AND THE OUTSTANDING ACCOMPLISHMENTS OF ITS TEAMS, 1984-1991.

WHEREAS, since 1984, the Maplesville High School athletic program has enjoyed tremendous success, and the accomplishments of the MHS Red Devils are a source of great pride to the entire Maplesville community; and

WHEREAS, the seven-year record posted by the varsity football teams is a fantastic 76-19 overall, for a winning percentage of 80%, and 18-7 in 25 playoff games, for a 72% victory record for Maplesville; and

WHEREAS, in addition to seven straight trips to the playoffs (1984-90) including four spots in the state semi-finals, the Devils also captured seven Area Championships, five Conference Titles, and had three undefeated regular seasons in five years; and

WHEREAS, impressive on the court, as well, the highlights of Red Devil Basketball (1984-91) include five Conference, four Area, two Sub-State Championships; one State Championship; and a number of appearances in the State Playoffs; and

WHEREAS, contributing also to the Red Devils' long list of accomplishments and strong showing in athletic competition are the 1987 and 1988 seasons, with a 19-6 record in 1987 and Runner-up to the 1A State Champions, while in 1988, the Devils finished 19-5 as Conference and Area Champs, and participated in the State Playoffs; and

WHEREAS, supporting the teams at each and every game have been the talented members of the Maplesville High School Varsity Cheerleaders who have led the student body and home team fans in cheering the Red Devils to yet another victory; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of outstanding achievement, we hereby most highly commend the Maplesville High School Athletic Program and the many outstanding accomplishments of its teams over the past seven years.

BE IT FURTHER RESOLVED, That copies of this resolution be prepared for appropriate presentation and display at Maplesville High School, Maplesville, Alabama.

Approved September 20, 1991

Time: 1:46 P.M.

Act No. 91-762

H.J.R. 52 — Rep. Laird

HOUSE JOINT RESOLUTION

CREATING A JOINT INTERIM LEGISLATIVE COMMITTEE TO REVIEW THE NEED FOR A WATER RESOURCE PROGRAM AND TO STUDY THE FEASIBILITY OF ESTABLISHING AN OFFICE OF WATER RESOURCES AND THE ALABAMA WATER RESOURCES COMMISSION.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint interim legislative committee to study implementation of the report of the Alabama Water Resources Study Commission established by Executive Order 27. The committee shall be composed of 10 members of each house to be appointed by the presiding officer of each house. The chairman and vice chairman of the committee shall be elected at the first meeting by the members of the committee. The committee shall study all facets of enacting legislation that would establish a water resources program for the State of Alabama by authorizing the Office of Water Resources as a division of the Department of Economic and Community Affairs, authorizing the Office of Water Resources to take necessary steps to study and evaluate the quantitative use of water resources of the state, establishing the Alabama Water Resources Commission, authorizing the Office of Water Resources to negotiate agreements or compacts with other states regarding the waters of the state, authorizing the Office of Water Resources to monitor the use of the water resources of the state, and granting the Office of Water Resources the authority to encourage the efficient use and development of the water resources of the state.

Upon the request of the chairman, the Secretary of the Senate and the Clerk of the House shall provide such technical and clerical assistance as may be necessary for the committee's work. The committee shall report its findings, conclusions, recommendations and suggested legislation to the legislature not later than the 5th legislative day of the next regular legislative session. Each legislative member of the committee shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the legislature, upon warrants drawn on the state comptroller upon requisitions signed by the committee's chairman; provided, however, that members shall not receive additional legislative compensation or per diem when the legislature is in session or if a member is being paid any other payments on the same dates for attendance of other state business. The total expenditures of the committee shall not exceed \$5,000.00.

Approved September 20, 1991

Time: 11:47 P.M.

Act No. 91-763

H.J.R. 19 — Rep. Hammett

HOUSE JOINT RESOLUTION

DESIGNATING THE WEEK OF JULY 12, 1992, "CIVITAN INTERNATIONAL WEEK" IN HONOR OF THEIR SEVENTY-FIFTH ANNIVERSARY OF SERVICE.

WHEREAS, Civitan International is an outstanding service organization which was founded in Birmingham, Alabama, on March 17, 1917, by Dr. Courtney W. Shopshire and other concerned business leaders to address the human needs of their day and its first major project was raising \$25,000.00 to keep Children's Hospital of Alabama operating; and

WHEREAS, today over 1,800 local service clubs throughout North America, Europe and Asia proudly bear the name Civitan and approximately 60,000 members serve the needs of their local communities particularly through projects: building youth leadership in over 600 Junior Civitan Clubs, the Shopshire Scholarship Fund, volunteer projects for the mentally retarded and handicapped, clergy appreciation, and local, state and International Summer Special Olympics; and

WHEREAS, Civitan International donated approximately \$1.6 million and had a record of 1,200 volunteers in each the 1987 and 1991 International Summer Special Olympics Games and was designated as a Premiere Sponsor; and

WHEREAS, Civitans from around the world continue to be a beacon of hope to those less fortunate and is one of the five leading service organizations of the world; it has maintained its worldwide headquarters in Birmingham, Alabama, for all of its 75 years; and

WHEREAS, the Civitan International Foundation \$20 million grant, made in 1989 and payable over 20 years for the Civitan International Research Center, to the University of Alabama at Birmingham was the largest single private gift to that major university and will provide world-class research for the causes, treatments and cures for mental retardation and developmental disabilities; and its volunteers contribute over \$26 million annually in time, energy and personal funds to many worthwhile projects to help the young, the elderly and needy of the world as well as in Alabama; and

WHEREAS, Civitans from around the globe will convene in Birmingham, Alabama, for the official grand opening of the Civitan International Research Center and its annual convention the week of July 12, 1992; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it is an appropriate honor of Civitans on their Diamond Anniversary of 75 years of community leadership and service, to designate the week of July 12, 1992, in praise of their many contributions to the world and we do hereby name the week of July 12, 1992, as "Civitan International Week" in the State of Alabama.

BE IT FURTHER RESOLVED, That we call upon all citizens of the state to salute this outstanding organization and its

members and direct that a copy of this resolution be sent forthwith to President Polly Mooney at the Civitan International Headquarters so that all Civitans may know of our deep admiration, pride and appreciation.

Approved September 20, 1991

Time: 1:48 P.M.

Act No. 91-764

H.J.R. 21 — Reps. McDowell, Curry,
Gaines, McClain

HOUSE JOINT RESOLUTION

MOURNING THE DEATH OF HAROLD G. HODGENS OF BESSEMER, ALABAMA.

WHEREAS, grievously recorded is the untimely death of Harold G. (Hal) Hodgens, editor of the Western Star in Bessemer since 1984, on Sunday, September 8, 1991, at the age of 54 years; and

WHEREAS, Hal Hodgens, as editor of the Bessemer area's hometown newspaper, built the award-winning publication into a circulation of over 15,000; and

WHEREAS, in his role as a newspaper publisher, Mr. Hodgens also became a well-known community leader, running for mayor of Hueytown in 1984 and 1988; and

WHEREAS, in recognition of his interest in public affairs, he was appointed to a number of boards for such public agencies as the Metropolitan Mass Transit Authority and the Tannehill State Park Authority; he further served as past chairman of the Hueytown Industrial Development Board, among numerous other involvements; and

WHEREAS, a former advertising executive, he also was part-owner of WBUL Radio from 1976 to 1979 and was sales manager for WVOK Radio from 1958 to 1971; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we are deeply saddened by the death of Harold G. (Hal) Hodgens of Bessemer, Alabama, and express our most heartfelt sympathy to his wife, Mrs. Juanita Hodgens; son, Robert Gilbert; daughters, Mrs. Pamela Wells, Mrs. Sherry Kelly, Mrs. Pam Gilbert, Mrs. Cathy Berry and Mrs. Carla Jones; and to other family members, whose

sorrow we share and for whom a copy of this resolution shall be provided.

Approved September 20, 1991

Time: 1:49 P.M.

Act No. 91-765

H.J.R. 22 — Reps. Holmes, Buskey (JL),
Clay

HOUSE JOINT RESOLUTION

COMMENDING DR. C. C. BAKER OF ALABAMA STATE UNIVERSITY.

WHEREAS, the Alabama Legislature notes with commendation the appointment and service of Dr. C. C. Baker as Interim President of Alabama State University; and

WHEREAS, a native of Gadsden and a graduate of that city's Carver High School, Dr. Baker earned B.S. and Masters degrees from Alabama State University; he also completed post graduate study at the University of Alabama and holds a Doctor of Education degree conferred by Auburn University; and

WHEREAS, a former classroom teacher, coach and administrator in the public school system, he also served as director of the Head Start Program in Andalusia, was associated with Auburn University as a graduate research assistant, assistant professor and associate professor, among other capacities, and retired in 1989 as Assistant State Superintendent of Education after a distinguished tenure of more than 12 years with the department; and

WHEREAS, over the years, Dr. Baker has been a member and served in leadership capacity with numerous professional, civic and community organizations; he further is the author of many scholarly papers and is the recipient of countless honors attesting to his accomplishments and contributions to education and community; and

WHEREAS, a United States Army veteran, Dr. Baker served on active duty with the U. S. Artillery in Korea and was honorably discharged from the Army Reserve in 1959; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of outstanding professional achievement and current leadership as Interim President of Alabama State University, we hereby commend

Dr. C. C. Baker, a distinguished educator whom we hold in highest regard and for whom a copy of this resolution shall be provided.

Approved September 20, 1991

Time: 1:50 P.M.

Act No. 91-766

H.J.R. 26 — Rep. Rockhold

HOUSE JOINT RESOLUTION

CONGRATULATING MR. AND MRS. AUBREY E. PRICE ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

WHEREAS, the Alabama Legislature notes with pleasure the Golden Wedding Anniversary on February 3, 1991, of Mr. and Mrs. Aubrey E. Price of Mobile, Alabama; and

WHEREAS, in the sight of God, Aubrey E. and Mary J. Reach Price were joined in wedlock on February 3, 1941, at the Bibb County Courthouse in Centreville, Alabama, and these two fine people, forsaking all others, have remained in said holy state for the past 50 years; and

WHEREAS, adhering to Biblical admonition, they have lived their lives as one, devoted each to the other, and have been steadfastly faithful to their wedding vows, setting an example to be emulated by all others who, in marriage, pledge themselves to one another until parted by death; and

WHEREAS, Mr. and Mrs. Price, who have been members of Springhill Avenue United Methodist Church for 40 years, are the parents of two daughters, Nancy, married to David Green, and Debbie, married to Wendell Erdman; they also have two grandsons and four granddaughters; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we join with family and friends in congratulating this exemplary couple of Mobile, Alabama, Mr. and Mrs. Aubrey E. Price, and wish them many more happy years together in their union so richly blessed by God.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to Mr. and Mrs. Price that they may know of our congratulations and warm best wishes for the future.

Approved September 20, 1991

Time: 1:51 P.M.

Act No. 91-767

H.J.R. 30 — Reps. Zoghby, Anderson, Barnes, Beasley, Biddle, Black (L), Black (M), Blakeney, Bowling, Box, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Cagle, Campbell, Carns, Carothers, Carter, Clark (J), Clark (W), Clay, Cosby, Crow, Cullins, Curry, Dolbare, Drake, Escott-Russell, Flowers, Ford, Freeman, Fuller, Gaines, Gaston, Goodwin, Grayson, Gullatt, Hall, Hamilton, Hammett, Haney, Harper, Harvey, Hawkins, Haynes, Higginbotham, Hill, Hogan, Holladay, Holley, Holmes, Hooper, Johnson, Knight, Kvalheim, Laird, Layson, Letson, Lindsey, Mathis, McClain, McDaniel, McDowell, McKee, McMillan, Melton, Mikell, Millican, Morrow, Morton, Newton (C), Newton (D), Parker (P), Parker (T), Payne, Penry, Perdue, Petelos, Poole, Powell, Rich, Richardson, Rockhold, Rogers (F), Rogers (J), Sanderford, Sanderson, Smith (C), Smith (R), Spratt, Starkey, Thomas, Turner, Turnham, Venable, Walker, Warren, White, Williams, Willis

HOUSE JOINT RESOLUTION

MOURNING THE DEATH OF WALTER A. KENNEDY OF MOBILE, ALABAMA.

WHEREAS, it is with deep sadness and regret that the Alabama Legislature records the death of Walter A. Kennedy of Mobile, Alabama, on August 31, 1991, at the age of just 62 years; and

WHEREAS, a native of Mobile and an employee of the U.S. Postal Service for 35 years, Mr. Kennedy was a former president and current executive vice president of Local 469 of the National Association of Letter Carriers; he also served for a number of years

as an executive board member of the Alabama State Association of Letter Carriers, and had recently been appointed to the position of facilitator at the Midtown Station on Spring Hill Avenue; and

WHEREAS, at the time of his death, Mr. Kennedy was in Washington, D.C., participating in a solidarity march in support of the rights of working people, a cause to which he was deeply committed and had long served in tireless and steadfast purpose; and

WHEREAS, Mr. Kennedy was a veteran of the Korean War and was a lifelong member of the Stewart Memorial CME Church where he was a class leader and served as chairman of the board of trustees; and

WHEREAS, the untimely death of Walter A. Kennedy has indeed left an unfathomable void in the life of the community and in the hearts of his beloved family, as well as the working people of Alabama and the nation who are sorely bereft in the loss of a fearless champion of their rights; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That even as we mourn his death, we give praise to God for the life of His humble servant, Walter A. Kennedy, whose lamentable death is herein recorded with deep and abiding sorrow.

BE IT FURTHER RESOLVED, That we hereby extend our most heartfelt sympathy to Mr. Kennedy's beloved wife, Almeda Sims Kennedy; sons, Walter A., Jr., and LeBaron Kennedy; daughters, Margaret K. Gavin, Linda K. Benjamin, Wanda K. Johnson, Brenda Catherine Kennedy, Sharon K. Goodwin and Fanita K. Glover; brothers, Kamel W., Douglas, Leroy, Jr., Joe L., LeBaron and Leonard L. Kennedy; to his sisters, Floretta K. Moore, Susie K. Hardin, Brenda J. Kennedy and our friend and colleague, State Representative Yvonne Kennedy; and to other family members, whose grievous loss we share and for whom copies of this resolution shall be provided.

Approved September 20, 1991

Time: 1:52 P.M.

Act No. 91-768

H.J.R. 31 — Rep. Butler

HOUSE JOINT RESOLUTION

URGING PRESIDENT GEORGE BUSH TO ASSIST THE STATE IN SOLVING THE HEALTH PROBLEMS OF THE LOW INCOME CITIZENS OF ALABAMA.

WHEREAS, the Office of Management and Budget is attempting to disallow the Alabama Medicaid Agency's ability to fund its program through the use of specific taxes levied on providers; and

WHEREAS, if the Office of Management and Budget is allowed to eliminate the program, the State of Alabama will lose approximately \$796,000,000.00 from its Medicaid program; and

WHEREAS, this loss will have a devastating effect on the health care system in Alabama and will immediately eliminate many of the programs serving our low income citizens; and

WHEREAS, without the Medicaid program serving these needy citizens, an even greater burden will be placed on the emergency rooms in our State; and

WHEREAS, if OMB is successful, hospitals and nursing homes will be devastated, the pharmacy program will be eliminated and quality health care services will not be available for our low income citizens; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we strongly urge President George Bush not to allow the elimination of provider specific taxes as a vehicle for the State to meet federal mandates and the service needs of our citizens.

BE IT FURTHER RESOLVED, That 500,000 poor Alabamians join us in our appeal and that we direct that a copy of this resolution be sent forthwith to President George Bush.

Approved September 20, 1991

Time: 1:53 P.M.

Act No. 91-769

H.J.R. 33 — Rep. Holley

HOUSE JOINT RESOLUTION

COMMENDING QUINNIE WHITMAN OF ELBA, ALABAMA, FOR DISTINGUISHED SERVICE TO THE COFFEE COUNTY BOARD OF REGISTRARS.

WHEREAS, Quinnie Whitman of Elba has served with distinction as a member and/or chairman of the Coffee County Board of Registrars for the past 34 years; and

WHEREAS, Ms. Whitman, appointed to the Board in 1957 by the late Governor James E. Folsom, is recognized as one the older

members, in length of tenure, of those serving on boards of registrars in Alabama, and she is the undisputed Dean of the Coffee County Board with her years of service exceeding the terms of all other past or current member; and

WHEREAS, over the years, numerous changes in the voter registration process have taken place with Ms. Whitman playing an important role in the initiation and execution of each new process; and

WHEREAS, in 1957, for example, the Board met bimonthly, dividing the allotted time between the Elba and Enterprise courthouses, and each of the various beats was visited by the board every other year during the month of August; and

WHEREAS, today the Board's working hours are from 9:00 to 5:00 five days a week; although the time is still divided between courthouses, the majority of the work has been conducted in Enterprise since the Elba flood; and

WHEREAS, other changes include the elimination of "test" questions from the registration procedure, as well as the poll tax and six-month county residency requirement, and deputy registrars, who receive no pay, are now appointed to assist in new-voter registration; and

WHEREAS, Ms. Quinnie Whitman has indeed been an invaluable member of the Coffee County Board of Registrars, and one who works diligently to further the efficiency of the voter registration process to the benefit of all residents of Coffee County; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of outstanding service to the Coffee County Board of Registrars, we hereby commend Ms. Quinnie Whitman of Elba, Alabama, whom we hold in highest regard and to whom a copy of this resolution shall be presented.

Approved September 20, 1991

Time: 1:54 P.M.

Act No. 91-770

H.J.R. 35 — Rep. Newton (D)

HOUSE JOINT RESOLUTION

COMMENDING ALABAMA NATIVE JENNIFER LAWSON FOR OUTSTANDING ACHIEVEMENT.

WHEREAS, it is with great personal pride and pleasure that the Alabama Legislature commends Jennifer Lawson, a native of

Fairfield, Alabama, and an executive vice president with PBS Public Television Services; and

WHEREAS, a graduate of the former Fairfield Industrial High School, Ms. Lawson attended Tuskegee University before interrupting her studies to work with the Civil Rights movement in the 1960s, concentrating her efforts in the area of adult education and basic literacy; and

WHEREAS, she later resumed her educational pursuits at Columbia University where she earned her master's degree; following graduation, she worked first as a filmmaker in New York and then became director of a small foundation that provided grants to filmmakers; and

WHEREAS, Ms. Lawson, in next employment, was associated with the Corporation for Public Broadcasting and worked with the Television Program Fund in Washington, D.C., before joining PBS several years ago; and

WHEREAS, in her capacity with PBS, Ms. Lawson has become an "overnight" success in media programming through her instrumental role in bringing *The Civil War* to television and, to PBS, its highest ratings to date with some 39 million viewers; and

WHEREAS, Ms. Jennifer Lawson is a native daughter in whom the State of Alabama is justly proud, and one who maintains close ties with her hometown through family visits and as an active member of her high school's national alumni association; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend and congratulate Ms. Jennifer Lawson, formerly of Fairfield, Alabama, for outstanding professional achievement.

BE IT FURTHER RESOLVED, That Ms. Lawson receive a copy of this resolution that she may know of our sincere warm praise and regard and of our very best wishes for every future success in life.

Approved September 20, 1991

Time: 1:55 P.M.

Act No. 91-771

H.J.R. 37 — Reps. Rockhold, Harper

HOUSE JOINT RESOLUTION

COMMENDING C. A. DOUGLAS OF MOBILE, FOR OUTSTANDING PROFESSIONAL ACHIEVEMENT AND SERVICE.

WHEREAS, C. A. Douglas of Mobile, former longtime coach and teacher at Theodore High School, is again being recognized for his many outstanding contributions to Theodore High, and for his favorable impact upon the lives of countless students and athletes privileged to his tutelage, counsel and friendship over the years; and

WHEREAS, Coach Douglas, an educator for 40 years, including 34 years in coaching, was at Theodore High School for the last 21 years of his accomplished career; and

WHEREAS, while coaching at Theodore High School for 16 years, his football, basketball and baseball teams won a total of 11 county championships; and

WHEREAS, a number of conference and district championships also were won by Coach Douglas' teams and, upon retirement, the high school stadium was named "C. A. Douglas Field" in his honor; and

WHEREAS, Coach C. A. Douglas is still remembered as "an institution" at Theodore High School, and a special tribute is being held to once again honor a beloved former teacher and coach who provided encouragement and support to hundreds of young men and women during their formative years and, in whom, he instilled such sterling attributes as honesty, fair play and integrity; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of outstanding achievement and service, we hereby most highly commend Coach C. A. Douglas of Mobile, whom we hold in warmest personal regard and to whom a copy of this resolution shall be presented.

Approved September 20, 1991

Time: 1:56 P.M.

Act No. 91-772

H.J.R. 38 — Rep. Williams

HOUSE JOINT RESOLUTION

CONGRATULATING MR. AND MRS. PRESTON BURETTE MIXON ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

WHEREAS, the Alabama Legislature notes with pleasure the Golden Wedding Anniversary, September 17, 1991, of Mr. and Mrs. Preston Burette Mixon of Ozark; and

WHEREAS, in the sight of God, Preston Burette and Mae Whitt Mixon were joined in wedlock on September 17, 1941, and these two fine people, forsaking all others, have remained in said holy state for the past 50 years; and

WHEREAS, Burette Mixon, whose distinguished military service included combat duty in the Pacific Theatre during World War II, was in the restaurant business with his father both before and after his military service, operating "The Coffee Pot" until 1956; other of his successful enterprises include the ownership and operation of Smithland Gas and Electric Company, Mixon Real Estate Company, Willow Oaks Country Club, and a real estate development company; and

WHEREAS, Mae Whitt Mixon, who assisted her husband in the operation of his businesses, also has been and continues to be active in the religious, civic and social affairs in the Ozark community; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we join with family and friends in congratulating this exemplary couple of Ozark, Alabama, Mr. and Mrs. Preston Burette Mixon, and wish them many more happy years together in their union so richly blessed by God.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to Mr. and Mrs. Mixon that they may know of our congratulations and warm best wishes for the future.

Approved September 20, 1991

Time: 1:57 P.M.

Act No. 91-773

H.J.R. 39 — Rep. Mathis

HOUSE JOINT RESOLUTION

NAMING THE D. LAWRENCE HARRIS HIGHWAY ON A CERTAIN PORTION OF ALABAMA HIGHWAY 52 IN SLO-COMB, ALABAMA.

WHEREAS, D. Lawrence Harris, born March 1, 1937, was a native and lifelong resident of Slocomb, Alabama, until his lamentable death on July 28, 1991; and

WHEREAS, a prominent, beloved and outstanding member of the community, he served two terms as Mayor of Slocomb, Alabama, during which tenure his dedicated leadership provided the impetus for a number of programs which touched the lives of the community and brought great improvement to all citizens therein; and

WHEREAS, among his many accomplishments, Lawrence Harris brought immeasurable improvements in every phase of service, including fire protection, major water improvement and sewage projects, highway and street improvements, law enforcement and industrial development; he was a key figure in the Geneva County Growers Market locating in Slocomb; he was instrumental in providing housing for migrant workers by the city's purchase of an old labor camp, and in establishing the first senior citizen's center as a pilot program for the State of Alabama from which the programs for the betterment of senior citizens continue throughout the State; and it was during his administration that the new City Hall was built; and

WHEREAS, his concern and love for his fellowman continued all his life, regardless of position, and his charitable activities were far too numerous to list; although, we would be remiss not to mention, among the many achievements for the youth of our State, that during the 1983-1987 term of Governor George C. Wallace, Mr. Harris spearheaded a \$400,000 drive for building a new school; and

WHEREAS, Mr. Harris had many prestigious positions after his graduation from the University of Alabama in 1959, and, at the time of his death, he was the president and chief executive officer and chairman of the board of the Slocomb National Bank; in 1988, he was selected the Slocomb High School Alumnus of the Year, and in 1973, City of Slocomb "Man of the Year"; and

WHEREAS, the business acumen of Mr. Harris earned him the respect of his peers; he served on many professional, industrial, law enforcement, health and senior citizen boards; and he was an active member in the First Baptist Church of Slocomb; and

WHEREAS, in recognition of Mr. Harris' dedicated public service, and in grateful acknowledgment of his many innovative and effective contributions to Slocomb and its surrounding communities, many of his constituents, friends and neighbors feel it desirable to provide for a lasting tribute to recall his outstanding accomplishments for generations to come; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby name and designate that certain portion of Alabama Highway 52

within the corporate limits of the City of Slocomb, in Geneva County, Alabama, from its easternmost boundaries to its westernmost boundaries, as the "D. Lawrence Harris Highway."

BE IT FURTHER RESOLVED, That the proper authorities or officials are authorized to erect appropriate signs and markers so designating said Alabama Highway 52 as the "D. Lawrence Harris Highway."

RESOLVED FURTHER, That a copy of this resolution be forwarded to his widow, Marjorie Hughes Harris of Slocomb, so that she and his family may know of this honorary designation by the Alabama Legislature in tribute to the memory of D. Lawrence Harris.

Approved September 20, 1991

Time: 1:59 P.M.

Act No. 91-774

H.J.R. 43 — Reps. Turner, Anderson, Barnes, Beasley, Biddle, Black (L), Black (M), Blakeney, Bowling, Box, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Cagle, Campbell, Carns, Carothers, Carter, Clark (J), Clark (W), Clay, Cosby, Crow, Cullins, Curry, Dolbare, Drake, Escott-Russell, Flowers, Ford, Freeman, Fuller, Gaines, Gaston, Goodwin, Grayson, Gullatt, Hall, Hamilton, Hammett, Haney, Harper, Harvey, Hawkins, Haynes, Higginbotham, Hill, Hogan, Holladay, Holley, Holmes, Hooper, Johnson, Kennedy, Knight, Kvalheim, Laird, Layson, Letson, Lindsey, Mathis, McClain, McDaniel, McDowell, McKee, McMillan, Melton, Mikell, Millican, Morrow, Morton, Newton (C), Newton (D), Parker (P), Parker (T), Payne, Penry, Perdue, Petelos, Poole, Powell, Rich, Richardson, Rockhold, Rogers (F), Rogers (J),

Sanderford, Sanderson, Smith (C),
 Smith (R), Spratt, Starkey,
 Thomas, Turnham, Venable,
 Walker, Warren, White, Williams,
 Willis, Zoghby

HOUSE JOINT RESOLUTION

COMMENDING BRIAN LEE OF CITRONELLE, ALABAMA,
 FOR OUTSTANDING ACHIEVEMENT.

WHEREAS, in a desire to recognize young Alabamians of outstanding achievement, the Legislature of Alabama notes the numerous and notable accomplishments of Brian Lee, Citronelle, Alabama, as a member of the University of Mississippi football team; and

WHEREAS, we most particularly note Brian Lee's performance on August 31, 1991, when the Ole Miss Rebels met the Tulane University Green Wave; and

WHEREAS, this exceptionally talented Rebel from Alabama posted an Ole Miss record of five field goals in one game, scoring on kicks of 25, 44, 31, 32 and 23 yards, and also posted a second record with his 16 points, the most ever scored by a kicker in a single game at the University of Mississippi; and

WHEREAS, in recognition of this outstanding performance, Brian Lee was named Player of the Game by TBS Broadcasting and also won SEC Offensive Player of the Week honors; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of outstanding achievement, we hereby most highly commend and congratulate Ole Miss Rebel Brian Lee of Citronelle, Alabama, a young man in whom we are justly proud and to whom a copy of this resolution shall be presented.

Approved September 20, 1991

Time: 2:00 P.M.

Act No. 91-775

H.J.R. 48 — Rep. Hawkins

HOUSE JOINT RESOLUTION

COMMENDING THE PIZITZ MIDDLE SCHOOL MATH-COUNTS TEAM AS NATIONAL CHAMPIONS IN ACADEMIC COMPETITION.

WHEREAS, the Alabama Legislature notes with pride that students from the Pizitz Middle School in Vestavia Hills have

excelled in many mathematics and academic competitions held throughout the state and in our nation's capital; and

WHEREAS, Mathew Crawford and Tim Momeny, together with their math teacher, coach and sponsor, Cindy Breckenbridge, went to Washington, D.C., to join the other participants of the Alabama Mathcounts Team which walked away with top honors at the recent eighth annual convention of Mathcounts competition; and

WHEREAS, Mathew Crawford of Pizitz Middle School won second in the nation for individual honors out of a field of 254 students in national competition and received a coveted \$6,000.00 college scholarship; and

WHEREAS, "Mathcounts" was begun 12 years ago in Birmingham and in its eighth annual national competition has reached over 3,000,000 children nationwide and this year the Pizitz Middle School Mathcounts Junior and Senior Varsity Teams have won first and second in statewide competition and had 9 students taking top honors in individual topic competition at the 21st Annual National Mu Alpha Theta Mathematics Convention in Huntsville, Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do hereby most highly commend the Pizitz Middle School "mathletes" competitors for their outstanding performances in the local, regional, state and national Mathcounts tournaments and their fine representation as Alabama citizens.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to each Mrs. Cindy Breckenbridge, math teacher, coach and sponsor of the Pizitz Middle School "mathletes" and to Mr. Mack Crawford and Tim Momeny so that the entire team, the school, the two national competitors and sponsor representing the school and state may know of our deep appreciation of their outstanding mathematical feats.

Approved September 20, 1991

Time: 2:01 P.M.

Act No. 91-776

H. 23 — Rep. Black (L)

AN ACT

Relating to Greene County, amending Act No. 89-195, H. 493, 1989 Regular Session, relating to the county gasoline tax, so as to provide further for the distribution of the proceeds of the tax and to provide for its retroactive effect.

Be It Enacted by the Legislature of Alabama:

Section 1. In Greene County, Section 12 of Act No. 89-195, H. 493, 1989 Regular Session, is hereby amended to read as follows:

“Section 12. The proceeds of any tax received under authority of this act shall be paid over to the county general fund.”

Section 2. The operation of this act shall be retroactive to April 6, 1989, and all actions taken and payments made pursuant thereto on and after that date are ratified and confirmed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved September 20, 1991

Time: 2:02 P.M.

Act No. 91-777

H. 29 — Rep. Clay

AN ACT

Relating to Macon County; providing further for the compensation of the probate judge.

Be It Enacted by the Legislature of Alabama:

Section 1. In Macon County, commencing either with the next term of office or upon the ratification date of a constitutional amendment authorizing the legislature by local law to fix, regulate or alter the fees, commissions, salaries or allowances of certain local officials in the county, the probate judge shall be entitled to receive compensation in the form of an annual salary in the amount of \$58,500.00 per annum. Such salary shall be paid in lieu of all other fees, allowances and percentages heretofore provided by law, and shall be paid in equal monthly installments out of the general fund in the county treasury.

All fees, commissions, allowances, percentages and other charges heretofore collected for the use of the judge of probate shall hereafter continue to be collected but shall be paid into the county general fund.

Section 2. All laws or parts of laws which conflict with this act are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved September 20, 1991

Time: 2:03 P.M.

Act No. 91-778

H. 40 — Rep. Campbell

AN ACT

To amend Sections 12 and 13 of Act No. 79-157, S. 222, 1979 Regular Session (Acts 1979, p. 256) as amended by Act No. 90-192, H. 761, 1990 Regular Session (Acts 1990, p. 218), which act establishes a policemen's and firemen's retirement fund for the City of Anniston in Calhoun County, so as to amend and refine further the formula contained in said act for the computation of plan benefits.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 12 and 13 of Act No. 79-157, S. 222, 1979 Regular Session (Acts 1979, p. 256) as amended by Act No. 90-192, H. 761, 1990 Regular Session (Acts 1990, p. 218) are hereby amended to read as follows:

"Section 12. Any member of the police or fire department on the effective date of this act who has been in continuous service as such member for a period of 20 years shall be entitled to retire and receive a monthly benefit from the fund equal to 1.4 percent of the average of his monthly income for the last three years preceding his retirement multiplied by the number of his years of continuous service; provided, however, that he shall not receive credit for continuous service in excess of 30 years.

"Any member of the police or fire department who was not such member on the effective date of this act and who has been in continuous service as such member for a period of 25 years shall be entitled to retire and receive a monthly benefit from the fund equal to 1.4 percent of the average of his monthly income for the last three years preceding his retirement multiplied by the number of his years of continuous service; provided, however, that he shall not receive credit for continuous service in excess of 30 years.

"The board shall retire from service any member of the police or fire department who has attained the age of 60 years, and such member shall be entitled to receive a monthly benefit from the fund equal to 1.4 percent of the average of his monthly income for the last three years preceding his retirement multiplied by 30.

"Section 13. If any member of the police or fire department becomes physically or mentally permanently disabled for service as a result of injuries received in line of duty, regardless of the length of the period of his service, so as to render his retirement from such service necessary, he shall be entitled to receive a disability benefit of 1.4 percent times the average of his monthly income for the last three years preceding his retirement multiplied by 30, and if his total service is less than three years, he shall be entitled to receive a disability benefit of 1.4 percent times the average of his monthly income for all years of service times 30.

"If any member of the police or fire department becomes physically or mentally permanently disabled for service from any cause, except injuries received in line of duty, and has completed one year of continuous service, so as to render his retirement from such service necessary, and after such disability has continued for a period of three months, he shall be entitled to receive a disability benefit of 1.4 percent times the average of his monthly income for the last three years preceding his retirement multiplied by 20, and if his total service is less than three years, he shall be entitled to receive a disability benefit of 1.4 percent times the average of his monthly income for all years of his service times 20.

"The determination of a member being physically or mentally permanently disabled for service so as to render his retirement from such service necessary shall be made by the board based upon information supplied to it by a duly licensed physician. After any member of the police or fire department shall have retired upon pension by reason of disability, the board shall have the right at any time to cause such retired member to be brought before it and examined by the city physician or other competent physician or surgeon selected by it, and also to examine other witnesses for the purpose of ascertaining whether such disability continues and whether such retired member shall be continued on the pension roll. Such retired member shall be entitled to notice and to be present at the hearing of such evidence. He shall also be permitted to propound any questions pertinent or relevant to such matter. He shall also have the right to introduce in his own behalf any competent evidence under oath. Any member of the board is authorized and empowered to administer oaths to witnesses. Should the board determine that such member is no longer disabled for service, it shall order that benefits to him from the fund shall cease and that he return to service.

"For the purposes of computing the average of a participant's monthly income as provided in this and the preceding section of this act, the participant's average of his monthly income shall not be decreased during any portion of the three-year period preceding

his retirement by virtue of being placed on workman's compensation for any portion of said period, but rather the employee's average of his monthly income shall be calculated as if he was receiving the monthly income which would otherwise have been paid to him during the period that he was paid workmen's compensation benefits notwithstanding the decrease in the contributions made for the employee or by him into the fund during the time that such workmen's compensation benefits were paid."

Section 2. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved September 20, 1991

Time: 2:04 P.M.

Act No. 91-779

H. 60 — Reps. Hill, Knight

AN ACT

To alter, rearrange and extend the boundary lines of the City of Calera in Shelby County, subject to referendum approval by a majority of the qualified electors residing within the territory proposed to be annexed to said city.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Calera in Shelby County are hereby altered, rearranged and extended so as to include in the corporate limits of said municipality the following territory to wit:

Commence at the intersection of the East line of Section 16, Township 22 South, Range 2 West, Shelby County, Alabama and the North boundary of the Calera City Limits, said point being the Point of Beginning of the City Limits extension herein described; thence run west along said City Limit boundary 5280 feet more or less to the West boundary line of said Section 16; thence run north 2600 feet more or less to the Northwest corner of said Section 16; thence run east along said section line 630 feet more or less; thence 92 degrees left more or less 1340 feet more or less; thence 92 degrees right more or less and run east 1470 feet more or less to an intersection with the West Right-of-Way Line of an L & N

Railway; thence run northwesterly with the West Right-of-Way of said L & N Railway and its offsets 220 feet more or less; thence 90 degrees right 25 feet; thence 90 degrees left 1120 feet more or less; thence east along the half section-line of Section 9 - 560 feet more or less; thence 90 degrees left more or less 1320 feet more or less; thence 90 degrees right more or less 450 feet more or less to the West Right-of-Way of U.S. Highway 311; thence 85 degrees left more or less 290 feet more or less along said Highway 31 R.O.W.; thence 85 degrees left more or less 480 feet more or less; thence 90 degrees right more or less 810 feet more or less; thence 89 degrees left more or less 535 feet more or less; thence 89 degrees right more or less 237 feet more or less to the North section-line of said Section 9; thence 88 degrees left more or less 510 feet more or less to the West Right of Way of an L & N Railway; thence 81 degrees right more or less 1265 feet northwesterly along said R.O.W.; thence 90 degrees right 25 feet along said R.O.W.; thence 90 degrees left 2980 feet more or less along said R.O.W.; thence 90 degrees right 25 feet along said R.O.W.; thence 90 degrees left 790 feet more or less along said R.O.W. to the Northerly Right-of-Way of Shelby County Highway 22; thence run northwesterly along said R.O.W. 2330 feet more or less to the intersection with the East Right-of-Way of U.S. Highway 31; thence continue northeasterly and easterly along said Highway 22 Right-of-Way 2560 feet more or less to the East Section line of Section 33, Township 21 South, Range 2 West; thence leaving said Highway 22 R.O.W., run south along said East section line of Section 33, 1150 feet more or less to the Northeast corner of Section 4, Township 22 South, Range 2 West; thence continue south along said Section 4 section-line 2640 feet more or less to the half section-line of Section 3; thence run east along said Section 3 half section-line 1300 feet more or less; thence 90 degrees right more or less 2640 feet more or less to the South section-line of said Section 3; thence continue south along East line of the West half of the West half of Section 10, 3960 feet more or less to the Southeast corner of the Northwest Quarter of the Southwest Quarter of said Section 10; thence 90 degrees right more or less 535 feet more or less to the East Right-of-Way of Interstate 65; thence 55 degrees left more or less 80 feet more or less along said I-65 R.O.W.; thence 45 degrees left more or less 1250 feet more or less to the South line of Section 10; thence 84 degrees left more or less 440 feet along said Section 10 section-line to the Northeast corner of the West half of the Northwest Quarter of Section 15; thence 90 degrees right more or less along the East line of said West half of said Northwest Quarter 2540 feet more or less to the North line of the Calera City Limits; thence 90 degrees right more or less 1320 feet more or less along said City Limits to the West line of Section 15, Township 22 South, Range 2 West, said point being the Point of Beginning.

Section 2. The provisions of Section 1 of this act shall become operative only if approved by the qualified electors who reside within the territory above described, voting in a referendum election to be ordered by the probate judge of Shelby County, within 10 days of the filing of the enactment of this legislation with the judge of probate, such election to be held not less than 20 nor more than 40 days from the date of the order of the election by the probate judge of Shelby County. The election shall be held, conducted and the results thereof canvassed in the manner prescribed by Article 3, Chapter 42, Title 11, Code of Alabama 1975, insofar as such provisions may be appropriate. The question shall be substantially as follows: "Do you favor the adoption of Section 1 of Act No. ____ of the 1991 Regular Session of the Alabama Legislature, which alters, rearranges and extends the corporate limits of the City of Calera in Shelby County? Yes ____ No ____ ." The City of Calera shall pay all of the costs and expenses incident to the election.

If a majority of the votes cast in the election are "Yes," the provisions of Section 1 of this act shall become operative immediately. If the majority are "No," Section 1 of this act shall have no further effect.

Section 3. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are hereby repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved September 20, 1991

Time: 2:05 P.M.

Act No. 91-780

H. 61 — Reps. Hill, Knight

AN ACT

To alter, rearrange and extend the boundary lines of the City of Calera in Shelby County, subject to referendum approval by a majority of the qualified electors residing within the territory proposed to be annexed to said city.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Calera in Shelby County are hereby altered, rearranged and extended so as to include in the corporate limits of said municipality the following territory to wit:

Commence at the Northeast corner of Section 6, Township 24 North, Range 14 East, Shelby County, Alabama; thence run south along the East section-line of said Section 6 to the Southeast corner of Section 6, also being the Northeast corner of Section 7; thence run south along the East section-line of said Section 7 to the Southeast corner of Section 7; thence run west along the South section-line of said Section 7, also being the Southeast corner of Section 12, Township 24 North, Range 13 East; thence continue west along said section-line of Section 12, 3100 feet more or less to the West Right-of-Way of Interstate 65; thence 70 degrees right more or less 900 feet more or less northwesterly with said I-65 R.O.W.; thence 30 degrees right more or less 70 feet more or less with said I-65 R.O.W.; thence 30 degrees left more or less 1300 feet more or less with said I-65 R.O.W.; thence 30 degrees left more or less 120 feet more or less with said I-65 R.O.W.; thence 25 degrees right more or less 1150 feet more or less with said I-65 R.O.W.; thence 25 degrees right 200 feet more or less with said I-65 R.O.W.; thence 25 degrees left more or less 780 feet more or less with said I-65 R.O.W.; thence 14 degrees right more or less 100 feet more or less with said I-65 R.O.W.; thence 14 degrees left more or less 1065 feet more or less to an intersection with the Southerly Right-of-Way of Shelby County Highway 67; thence 115 degrees left more or less 100 feet more or less along said Highway 67 R.O.W. to the South line of Section 1; thence 45 degrees right more or less 350 feet more or less along said South Section-line to the Southwest corner of Section 1; thence run north along the West section-line of Section 1 3720 feet more or less to the South Right-of-Way of an L & N Railway; thence run west along said L & N R.O.W. 568 feet more or less; thence 94 degrees right more or less across the 100 foot wide L & N R.O.W., a distance of 102 feet more or less to the South line of the Calera City Limits also being along the North R.O.W. of the L & N Railway; thence run east along said L & N R.O.W. to the West Right-of-Way of Interstate 65; thence run northwesterly along said I-65 R.O.W. 1450 feet more or less to the North section-line of Section 2; thence run east along said North section-line to the Northeast corner of said Section 2; thence run south along the Section 2 East section-line 1320 feet more or less; thence run east following the Calera City Limits 3160 feet to the West Right-of-Way of an L & N Railway; thence run northeasterly along said West L & N R.O.W. with its meanderings to its intersection with the North section-line of Section 1, Township 24 North, Range 13 East; thence run West

along said North section-line 440 feet more or less to the Southwest corner of Section 23, Township 22 South, Range 2 West; thence continuing to follow the Calera City Limits, run northeasterly 1850 feet more or less to the East line of the West half of the West half of Section 23; thence run north along said East line 260 feet more or less to the Southerly Right-of-Way of Shelby County Highway 306; thence run northwesterly with said Southerly R.O.W. and along with the City Limits 1670 feet more or less to the East section-line of Section 22; thence run west parallel to the North line of said Section 22, 770 feet more or less continuing along the City Limit line; thence 90 degrees left more or less 690 feet more or less; thence 90 degrees right more or less 680 feet more or less continuing along the City Limit line; thence 90 degrees right more or less 100 feet more or less; thence 43 degrees left more or less 200 feet more or less; thence 69 degrees left more or less 250 feet more or less; thence 50 degrees left more or less 800 feet continuing with the City Limits line; thence 35 degrees right more or less 310 feet more or less to the half section-line of Section 22; thence run north along said line 350 feet more or less; thence 155 degrees left more or less 200 feet more or less continuing with the City Limit line; thence 103 degrees right more or less 320 feet more or less; thence run south 240 feet more or less; thence 90 degrees more or less 400 feet more or less to the East Right-of-Way of Interstate 65; thence run south along said I-65 R.O.W. 1320 feet more or less to the South section-line of Section 22; thence run west along said South section-line 700 feet more or less to the East City Limit Line; thence run north along said line 2300 feet more or less; thence 90 degrees right more or less 480 feet more or less; thence run southeasterly with the meanderings of the City Limit Line 422.33 feet to the intersection of the North Right-of-Way of Alabama Highway 25 and the West Right-of-Way of Shelby County Highway 310; thence run northerly with the West R.O.W. of Highway 310 and the City Limits line 380.6 feet; thence 55 degrees right more or less 140 feet more or less to the East R.O.W. of Highway 310; thence 30 degrees right more or less 400 feet more or less; thence 98 degrees right more or less 650 feet more or less continuing to follow the City Limit line to the South Right-of-Way line of Alabama Highway 25; thence run east and northeast with the Southerly R.O.W. of Highway 25 and the City Limit line to the West line of the East half of the East half of Section 22; thence run north along said half line 700 feet to the South Right-of-Way of Shelby County Highway 310 R.O.W. and the City Limit line; thence run southwesterly 1300 feet more or less; thence south 130 feet more or less; thence west 200 feet more or less; thence run southwesterly along the City Limit line 470 feet more or less to the East Right-of-Way of Interstate 65; thence run west along the City Limit line to the East City Limit line; thence

run north along said City Limit line 2850 feet more or less to its intersection with the East Right-of-Way of Interstate 65; thence 173 degrees right more or less leaving the City Limit line and following the East Right-of-Way of I-65, 1930 feet more or less to its intersection with the North Right-of-Way line of a Southern Railway; thence run east and northeasterly with said Railway R.O.W. 2450 feet more or less to the North line of Section 22; thence run east along the said North section-line 50 feet more or less to the West Right-of-Way of an unnamed County road; thence run north along said road R.O.W. 430 feet more or less; thence run west 410 feet; thence run north 420 feet; thence run east 428.8 feet; thence run north 480 feet more or less; thence run east 1790 feet more or less to the North R.O.W. of a Southern Railway; thence run northerly and easterly along said Railway R.O.W. 2250 feet more or less to the West line of Lot 16, of the Tract fifty One Subdivision as recorded in Map Book 11, Page 26; thence run north along said West line of Lot 16, 600 feet more or less; thence run east 2710 feet more or less to the East Right-of-Way of Alabama Highway 25; thence 36 degrees right more or less 520 feet more or less to the North Right-of-Way of a Southern Railway; thence run northeasterly with said Railroad R.O.W. 1610 feet more or less to the East line of the West half of the West half of Section 13; thence run south along said half-line 1000 feet more or less to the South line of the Northwest Quarter of Section 13; thence run east along said half line 2620 feet more or less; thence run south 1390 feet more or less to the South Right-of-Way of Shelby County Highway 86; thence run southwesterly 745 feet more or less; thence run southerly leaving said road R.O.W. 470 feet more or less to the Southeast corner of Lot 1, East Calera Farms as recorded in Map Book 12, Page 33; thence run southwesterly and westerly along the South line of said Lot 1 to the Southwest corner of Lot 1; thence run south to the Southwest corner of Lot 4 of East Calera Estates as recorded in Map Book 12, Page 3; thence run west 80 feet more or less to the North Right-of-Way of L & N Railway; thence run southwesterly and perpendicular to said L & N R.O.W., 100 feet to the South R.O.W. of the L & N Railway; thence run northwesterly, westerly, and southwesterly along said South L & N R.O.W. to its intersection with the West section-line of Section 24, Township 22 South, Range 2 West; thence run South along said West section-line 3170 feet more or less to the Southwest corner of Section 24; thence run east 2050 feet along the South section-line of Section 24 to the Northeast corner of Section 6, Township 24 North, Range 14 East, said point being the Point of Beginning.

Section 2. The provisions of Section 1 of this act shall become operative only if approved by the qualified electors who

reside within the territory above described, voting in a referendum election to be ordered by the probate judge of Shelby County, within 10 days of the filing of the enactment of this legislation with the judge of probate, such election to be held not less than 20 nor more than 40 days from the date of the order of the election by the probate judge of Shelby County. The election shall be held, conducted and the results thereof canvassed in the manner prescribed by Article 3, Chapter 42, Title 11, Code of Alabama 1975, insofar as such provisions may be appropriate. The question shall be substantially as follows: "Do you favor the adoption of Section 1 of Act No. ____ of the 1991 Regular Session of the Alabama Legislature, which alters, rearranges and extends the corporate limits of the City of Calera in Shelby County? Yes ____ No ____ ." The City of Calera shall pay all of the costs and expenses incident to the election.

If a majority of the votes cast in the election are "Yes," the provisions of Section 1 of this act shall become operative immediately. If the majority are "No," Section 1 of this act shall have no further effect.

Section 3. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are hereby repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved September 20, 1991

Time: 2:06 P.M.

Act No. 91-781

H. 5 — Reps. Fuller, Laird

AN ACT

Relating to Chambers County; providing for the appointment of members of the Chambers County Library Board.

Be It Enacted by the Legislature of Alabama:

Section 1. In Chambers County, the county commission is hereby authorized to appoint members of the Chambers County Library Board. The board shall consist of not less than five nor

more than seven members and shall serve staggered terms to be determined by the county commission.

Section 2. Upon their appointment, the members of said library board shall have the authority to appoint one or more persons as a "trustee emeritus."

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved September 20, 1991

Time: 2:07 P.M.

Act No. 91-782

H. 12 — Rep. Black (M)

AN ACT

Relating to Colbert County, establishing a county contingency fund within the county general fund to be utilized for promoting industrial development within the county.

Be It Enacted by the Legislature of Alabama:

Section 1. In Colbert County, there is hereby established a county contingency fund to be funded by the county general fund in an amount up to ten thousand dollars (\$10,000.00) per annum, to be determined by the county commission. Said fund shall be utilized for promoting industrial development and prospective industrial development within the county or any other related uses as may be determined by the county commission.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved September 20, 1991

Time: 2:08 P.M.

Act No. 91-783

H. 14 — Rep. Bryant

AN ACT

Relating to Hale County; authorizing the county commission to levy a county privilege, license or excise tax on the sale, distribution, storage, use or other

consumption of certain tobacco products in the county; providing for the collection and enforcement of the tax; and appropriating the proceeds therefrom.

Be it Enacted by the Legislature of Alabama:

Section 1. The Hale County commission is hereby authorized to levy upon every person, firm or corporation who sells, stores, delivers, uses or otherwise consumes certain tobacco products in Hale County a county privilege, license or excise tax in the following amounts effective for time periods as follows:

Five cents (\$0.05) for each package of cigarettes, made of tobacco or any substitute therefor effective only through September 30, 1992.

Beginning October 1, 1992, and thereafter, such levy shall be reduced to two cents (\$0.02) for each package of cigarettes made of tobacco or any substitute therefor.

Said privilege, license or excise tax shall be in addition to all other taxes heretofore imposed by law. Provided, however, when the license tax hereby required to be paid shall have been paid by a wholesaler or seller of cigarettes, such payment shall be sufficient, the intent being that such license tax hereby required to be paid shall be paid but once on each package of cigarettes.

Section 2. (a) Upon the passage of this act, the county commission is authorized to levy on every person, firm, corporation, club or association that sells or stores or receives for the purpose of distribution in Hale County any cigarettes shall add the amount of the license or privilege tax levied and assessed herein to the price of the cigarettes, it being the purpose and intent of this provision that the tax levied is, in fact, a levy on the consumer with the person, firm, corporation, club or association, who sells or stores or receives for the purpose of distributing the cigarettes, acting merely as agent for the collection of the tax. The dealer, storer or distributor shall state the amount of the tax separately from the price of the cigarettes on all price display signs, sales or delivery slips, bills and statements which advertise or indicate the price of the cigarettes.

(b) It shall be the duty of the county commission of Hale County to enforce the provisions of this act. Upon its imposing the tax herein provided for, the Hale County Commission, its members or agents shall have the right to examine the books, reports and accounts of every dealer, storer or distributor engaged in the business for which the tax is herein levied, and to make any and all rules and regulations necessary and proper for the collection of such tax. Provided, that upon resolution by the Hale County Commission, the state department of revenue is hereby authorized and directed to collect all such county tobacco taxes now or hereafter levied by

said county under the provisions of this act, and further, said resolution must be received and accepted by the state department of revenue at least two months prior to the effective date of the collection and administration of said tax(es) by the department of revenue as set by the Hale County Commission.

(c) It shall be unlawful for any dealer, storer or distributor engaged in or continuing in Hale County in the business for which the tax is hereby levied to fail or refuse to add to the sales price and collect from the purchaser the amount due on account of the tax herein provided or to refund or offer to refund all or any part of the amount collected or to absorb or advertise directly or indirectly the absorption of the tax or any portion thereof. Any person, firm, corporation, club or association violating any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction, shall be fined not more than one hundred dollars (\$100.00) or imprisoned in the county jail for not more than 60 days, or by both such fine and imprisonment. Each act in violation of this section shall constitute a separate offense.

Section 3. The tax hereby authorized to be levied shall be paid by affixing stamps as is required for the payment of the tax imposed by Section 40-25-1 through Section 40-25-28, Code of Alabama 1975. The state department of revenue, if directed and authorized by the Hale County Commission to collect and administer the county privilege, license or excise taxes levied herein, for as long as directed by the county commission, shall have the same duties relative to the preparation and sale of stamps to evidence the payment of such tax that it has relative to the preparation and sale of stamps under those sections and may exercise the same powers and perform the same duties in the same manner relative to the collection of the tax hereby levied that it does relative to the collection of that tax. In the event the required stamps are not available for the purpose of affixing to tobacco product packages and containers, authority is hereby granted for the utilization of a monthly reporting system approved by the department of revenue, and adopted through the promulgation of administrative regulations by the department, as evidence of the taxes herein levied.

Section 4. The state department of revenue, if directed and authorized by resolution of the Hale County Commission to collect and administer the county privilege, license, or excise tax herein levied, for as long as directed by the county commission, is hereby authorized to promulgate and enforce rules and regulations to effectuate the purposes of this act. All such rules and regulations duly promulgated shall have the force and effect of law.

Section 5. All laws, rules and regulations of the department of revenue, relating to the manner and time of payment of the tax

levied by Section 40-25-1 through Section 40-25-28, Code of Alabama 1975, requiring reports from dealers and prescribing penalties for violations shall apply with equal force to the tax levied by this act as fully as if set out herein.

Section 6. The proceeds of the tax levied herein, less the actual costs of collection not to exceed ten percent (10%), shall be paid by the state department of revenue to the county general fund on a monthly basis to be expended by the Hale County Commission for general county purposes.

Section 7. (a) None of the provisions of this act shall be applied in such manner as to be in violation of the commerce or other clauses of the federal or state constitution.

(b) This act shall not be construed to apply to cigarettes stored by a wholesale dealer for the purpose of resale or reshipment outside of such counties which are actually resold or reshipped.

Section 8. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws or parts of laws which conflict with this act are hereby repealed.

Section 10. This act shall become effective immediately following its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved September 20, 1991

Time: 2:09 P.M.

Act No. 91-784

H. 21 — Rep. Bryant

AN ACT

Relating to the offices and the compensation of the tax assessor and tax collector of Hale County, commencing with the next term of office October 1, 1991; and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The offices of tax assessor and tax collector of Hale County shall be full time and each such officer shall be compensated by an annual minimum salary as provided by Section 40-6A-2 of the Code of Alabama 1975, as amended, in lieu of any other compensation or expense allowance. The tax assessor and

tax collector each shall be paid in the same manner as other county officers are paid.

Section 2. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are hereby repealed.

Section 4. The provisions of this act shall become effective October 1, 1991.

Approved September 20, 1991

Time: 2:10 P.M.

Act No. 91-785

H. 22 — Rep. Beasley

AN ACT

Relating to Henry County; authorizing the Henry County board of education to increase and set the salary of the superintendent of education; and providing for the board of education to increase or set expense allowances, any other compensation and/or supplement as provided by law.

Be It Enacted by the Legislature of Alabama:

Section 1. All laws to the contrary notwithstanding, the Henry County board of education is hereby authorized to increase and set a salary for the superintendent of education in conjunction with state increases for teachers. The Henry County board of education shall increase or set expense allowances, any other compensation and/or supplement as provided by law.

Section 2. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are hereby repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved September 20, 1991

Time: 2:11 P.M.

Act No. 91-786

H. 47 — Rep. Harper

AN ACT

To transfer the amount of \$4,000,000 from the Abandoned Property Trust Fund provided for in Code of Alabama 1975 Section 35-12-39 into the State General Fund.

Be It Enacted by the Legislature of Alabama:

Section 1. Notwithstanding any provision of law to the contrary, there shall be transferred from the Abandoned Property Trust Fund provided for in Code of Alabama 1975 Section 35-12-39 into the State General Fund the amount of four million dollars (\$4,000,000) during the fiscal year beginning October 1, 1991.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Approved September 20, 1991

Time: 2:12 P.M.

Act No. 91-787

H.J.R. 53 — Rep. Hawkins

HOUSE JOINT RESOLUTION

CONGRATULATING THE VESTAVIA HILLS HIGH SCHOOL MATHCOUNTS VARSITY TEAMS AND PARTICIPANTS.

WHEREAS, Vestavia Hills High School co-hosted the Twenty-first National Mu Alpha Theta Convention for 750 high schools and junior college students from 20 states throughout the nation and many state colleges and universities and private Alabama corporations contributed their assistance, support and money; and

WHEREAS, Vestavia Hills High School placed first in both Varsity and Junior Varsity competitions and placed an incredible four students on the Junior Varsity State Team and three students on the Varsity State Team because of their high scoring; and nine students captured the highest honors in the 16 other events of the convention; and

WHEREAS, the sponsors at the Huntsville convention were Kay Tipton, June Stephenson, Bob Thompson, Charlotte Packard,

Brian Cain and Rosemary Davidson and the Vestavia Hills High School students who won places on the state team of mathcounts were: Mathew Crawford, Joshua Meezan, Peily Soong, Michael Tehranchi, Chris Bass, Matt Davidson and Matthew Rudd and the eighteen student participants from Vestavia Hills High School are a great inspiration to all of us; and

WHEREAS, Vestavia Hills High School has clinched the first-place title in the national mathematics honor society, Mu Alpha Theta, for three consecutive years and this is due principally to the dedication of the students, the support of the families and schools, and particularly to the guidance, teaching, preparation and coaching of their math teachers, Cindy Breckenbridge and Ann Friedman; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do most highly praise and thank the officers, sponsors and organizers of the 1991 Mu Alpha Theta Convention, and particularly the "Mathletes" of Vestavia Hills High School, who have performed so admirably in the various local, state, regional and national competitions of complex mathematics; and their coaches and Vestavia Hills High School.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Ms. Kay Tipton, Mrs. Ann Friedman and Mrs. Cindy Breckenbridge, so that they, the junior and varsity team members of the national honorary mathematics competition and Vestavia Hills High School may know our high esteem and admiration.

Approved September 20, 1991

Time: 2:13 P.M.

Act No. 91-788

H. 76 — Rep. Harper

AN ACT

To amend Sections 35-12-22, 35-12-23, 35-12-25, 35-12-27, 35-12-29, 35-12-31 and 35-12-39 of Title 35, Chapter 12, Article 2 of the Code of Alabama 1975, the "Uniform Disposition of Unclaimed Property Act", so as to reduce the seven year dormancy period to a five year dormancy period; to provide for a single additional reporting and remitting date; and to provide further for the deposit of funds to the general fund.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 35-12-22, Code of Alabama 1975, is hereby amended as follows:

“§35-12-22. Property held by banking or financial organizations or business associations.

The following property held or owing by a banking or financial organization or by a business association is presumed abandoned:

(1) Any demand, savings or matured time deposit made in this state with a banking organization, together with any interest or dividend thereon, excluding any charges that may lawfully be withheld, unless the owner has, within five years:

a. Increased or decreased the amount of the deposit, or presented the passbook or other similar evidence of the deposit for the crediting of interest; or

b. Corresponded in writing with the banking organization concerning the deposit; or

c. Otherwise indicated an interest in the deposit as evidenced by a memorandum on file with the banking organization. Any correspondence in writing from a banking organization to the owner, such as the mailing of a statement, report of interest paid or credited or other written advice relating to such deposit shall be construed to mean that the owner has indicated an interest in the deposit if such correspondence in writing is not returned to the banking organization for nondelivery thereof.

d. For the purposes of paragraphs (1)a, (1)b and (1)c of this section, any activity or indication of interest by an owner in any other deposits in a banking organization shall be construed to be activity and indication of interest in all other deposits of such owner in the banking organization.

(2) Any funds paid in this state toward the purchase of shares or other interest in a financial organization or any deposit made therewith in this state and any interest or dividends thereon, excluding any charges that may lawfully be withheld, unless the owner has within five years:

a. Increased or decreased the amount of the funds or deposit or presented an appropriate record for the crediting of interest or dividends; or

b. Corresponded in writing with the financial organization concerning the funds or deposit; or

c. Otherwise indicated an interest in the funds or deposit as evidenced by a memorandum on file with the financial organization. Any correspondence in writing from a financial organization to the owner, such as the mailing of a statement, report of interest or dividends paid or credited, or other written advice relating to such shares or other interest in such financial organization shall

be construed to mean that the owner has indicated an interest in such shares if such correspondence in writing is not returned to the financial organization for nondelivery thereof.

d. For the purposes of paragraphs (2)a, (2)b and (2)c of this section, any activity or indication of interest by an owner in any other shares in a financial organization shall be construed to be activity and indication of interest in all other shares of such owner in the financial organization.

(3) Any sum payable on checks certified in this state or on written instruments issued in this state on which a banking or financial organization or business association is directly liable, including, by way of illustration but not of limitation, certificates of deposit, drafts, money orders and traveler's checks, that, with the exception of traveler's checks, has been outstanding for more than five years from the date it was payable, or from the date of its issuance if payable on demand, or in the case of traveler's checks, that has been outstanding for more than 15 years from the date of its issuance, unless the owner has within five years, or within 15 years in the case of traveler's checks, corresponded in writing with the banking or financial organization or business association concerning it, or otherwise indicated an interest as evidenced by a memorandum on file with the banking or financial organization or business association.

(4) Any funds or other personal property, tangible or intangible, removed from a safe deposit box or any other safekeeping repository or agency or collateral deposit box in this state on which the lease or rental period has expired due to nonpayment of the rental charges or other reason, or any surplus amounts arising from the sale thereof pursuant to law, that have been unclaimed by the owner for more than five years from the date on which the lease or rental period expired."

Section 2. Section 35-12-23, Code of Alabama 1975, is hereby amended as follows:

"§35-12-23. Unclaimed funds held by insurance corporations.

(a) Unclaimed funds, as defined in this section, held and Owing by an insurance corporation shall be presumed abandoned if the last known address, according to the records of the corporation, of the person entitled to the funds is within this state. If a person other than the insured or annuitant is entitled to the funds and no address of such person is known to the corporation or if it is not definite and certain from the records of the corporation what person is entitled to the funds, it is presumed that the last known address of the person entitled to the funds is the same as the last known address of the insured or annuitant according to the records of the corporation.

(b) "Unclaimed funds," as used in this section, means all moneys held and owing by any insurance corporation unclaimed and unpaid for more than five years after the moneys became due and payable as established from the records of the corporation. In the case of life insurance corporations, this shall only include any life or endowment insurance policy or annuity contract which has matured or terminated. A life insurance policy not matured by actual proof of the death of the insured is deemed to be matured and the proceeds thereof are deemed to be due and payable if such policy was in force when the insured attained the limiting age under the mortality table on which the reserve is based, unless the person appearing entitled thereto has within the preceding five years, assigned, readjusted or paid premiums on the policy or subjected the policy to loan or corresponded in writing with the life insurance corporation concerning the policy. Moneys otherwise payable according to the records of the corporation are deemed due and payable although the policy or contract has not been surrendered as required."

Section 3. Section 35-12-25, Code of Alabama 1975, is hereby amended as follows:

"§35-12-25. Undistributed dividends and distributions of business associations.

Any stock or other certificate of ownership, or any dividend, profit, distribution, royalty, interest, payment on principal, or other sum held or owing by a business association, broker or person for or to a shareholder, certificate holder, member, bondholder, or other security holder, or a participating patron of a cooperative, who has not claimed it or corresponded in writing with the business association, broker or person concerning it within five years after the date prescribed for payment or delivery is presumed abandoned if:

(1) It is held or owing by a business association, broker or person organized under the laws of or created in this state; or

(2) It is held or owing by a business association, broker or person doing business in this state, but not organized under the laws of or created in this state, and the records of the business association, broker or person indicate that the last known address of the person entitled thereto is in this state."

Section 4. Section 35-12-27, Code of Alabama 1975, is hereby amended as follows:

"§35-12-27. Intangible property held by fiduciaries.

All intangible personal property and any income or increment thereon, held in a fiduciary capacity for the benefit of another

person, is presumed abandoned unless the owner has, within five years after it becomes payable or distributable, increased or decreased the principal, accepted payment of principal or income, corresponded in writing concerning the property or otherwise indicated an interest as evidenced by a memorandum on file with the fiduciary:

(1) If the property is held by a banking organization or a financial organization or by a business association organized under the laws of or created in this state; or

(2) If it is held by a business association, a banking organization or a financial organization doing business in this state, but not organized under the laws of or created in this state, and the records of the business association, a banking organization or a financial organization indicate that the last known address of the person entitled thereto is in this state; or

(3) If it is held in this state by another person.”

Section 5. Section 35-12-29, Code of Alabama 1975, is hereby amended as follows:

“§35-12-29. Miscellaneous personal property not otherwise covered by article.

All tangible and intangible personal property, not otherwise covered by this article, including, but not limited to and by way of illustration, money, stocks, bonds, certificates of membership in corporations, income, amounts due and payable under the terms of insurance policies not covered by section 35-12-23, pension trust agreements, profit-sharing plans, security deposits, refunds, funds deposited to redeem stocks, bonds, coupons and other securities, or to make a distribution thereof, together with any income, interest or increment thereon and deducting any lawful charges, that is held or owing in this state in the ordinary course of the holder's business and has remained unclaimed by the owner for more than five years after it became payable or distributable is presumed abandoned; provided, that unclaimed or unpaid wages and salaries which have remained unclaimed by the owner for more than one year after becoming payable are presumed abandoned.”

Section 6. Section 35-12-31, Code of Alabama 1975, is hereby amended as follows:

§35-12-31. Report of abandoned property.

(a) Every person holding funds or other property, tangible or intangible, presumed abandoned under this article shall report to the commissioner of revenue with respect to the property as hereinafter provided.

(b) The report shall be verified and shall include:

(1) Except with respect to traveler's checks and money orders, the name, if known, and last known address, if any, of each person appearing from the records of the holder to be the owner of any property of the value of \$10.00 or more presumed abandoned under this section;

(2) In case of unclaimed funds of life insurance corporations, the full name of the insured or annuitant and his last known address according to the life insurance corporation's records;

(3) The nature and identifying number, if any, or description of the property and the amount appearing from the records to be due;

(4) The date when the property became payable, demandable or returnable and the date of the last transaction with the owner with respect to the property; and

(5) Other information which the commissioner of revenue prescribes by rule as necessary for the administration of this article.

(c) If the person holding property presumed abandoned is successor to other persons who previously held the property for the owner or if the holder has changed his name while holding the property, he shall file with his report all prior known names and addresses of each holder of the property.

(d) Reports required under this article shall be filed before November 1 of each year as of June 30 next preceding, but the reports filed by insurance corporations shall be filed before May 1 of each year as of December 31 next preceding. The commissioner of revenue may postpone the reporting date upon written request by any person required to file a report. Any law or other provision of this act to the contrary notwithstanding, any companies or entities which are required to report under existing law by November 1, 1991 shall in addition to such report be required to report and remit to the commissioner of revenue all abandoned property which meets the new dormancy requirements provided for in this act by May 1, 1992, and any companies or entities which are required to report under existing law by May 1, 1992 shall, in addition to such report, be required to report and remit to the commissioner of revenue all abandoned property which meets the new dormancy requirements provided for in this act.

(e) If the holder of property presumed abandoned under this article knows the whereabouts of the owner and if the owner's claim has not been barred by the statute of limitations, the holder shall, before filing the annual report, communicate with the owner and take necessary steps to prevent abandonment from being

presumed. The holder shall exercise due diligence to ascertain the whereabouts of the owner.

(f) Verification, if made by a partnership, shall be executed by a partner; if made by an unincorporated association or private corporation, by an officer; and if made by a public corporation, by its chief fiscal officer."

Section 7. Section 35-12-39(a), Code of Alabama 1975, is hereby amended as follows:

"§35-12-39. Deposit of funds.

(a) Except as otherwise provided by this section, the commissioner of revenue shall promptly deposit in the general fund of this state all funds received under this article, as amended by this act, including the proceeds from the sale of abandoned property under Section 35-12-38. The commissioner of revenue shall retain in a separate trust fund an amount not greater than \$1,000,000 from which prompt payment of claims duly allowed must be made by him. The commissioner of revenue at his discretion shall cease to make deposits to the general fund so as to maintain the trust fund."

Section 8. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws or parts of laws which conflict with this act are hereby repealed.

Section 10. This act shall become effective on December 1, 1991 following its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved September 20, 1991

Time: 2:15 P.M.

Act No. 91-789

S. 35 — Senator Denton

AN ACT

To amend Section 36-27-15.2, Code of Alabama 1975, which relates to credit for out-of-state service in the retirement systems, so as to provide further for the cost of purchasing such credit.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 36-27-15.2, Code of Alabama 1975, is hereby amended to read as follows:

“§36-27-15.2.

“(a) (1) Any member of the teachers’ retirement system of Alabama or any member of the employees’ retirement system of Alabama shall be eligible to receive up to five years of creditable service for employment in public education in states other than Alabama or for up to five years of creditable service for public employment rendered in states other than Alabama, provided that the member of the retirement system claiming such credit shall have attained not less than 10 years of contributing membership service credit, exclusive of military service credit, under the retirement system of which he is a member; and, provided further, that such member performs and complies with the conditions prescribed in subdivision (2) of this subsection.

“(2) A member of the teachers’ or employees’ retirement system of Alabama, eligible under paragraph a. of this subdivision, may receive credit for public service rendered in states other than Alabama as provided in subdivision (1) of this section, provided that as conditions precedent to the receipt of such credit:

“a. Such member shall contribute, prior to the date of his retirement, to his respective retirement system, for each year of out-of-state service credit, a percentage of his current annual earnable compensation or average final compensation, whichever is greater; the applicable percentage of said annual earnable compensation or average final compensation, whichever is greater shall be the sum of the prevailing percentage rates of employer and member contributions, as required by the most recent actuarial valuation;

“b. The public retirement system of such other state, county, city or other political subdivision thereof shall certify in writing to the applicable retirement system that the member had credit under said retirement system for the service claimed;

“c. The member shall claim, purchase and receive credit for out-of-state service in increments of not less than one year, unless such member’s total or balance of out-of-state service is less than one year, in which event, he shall claim and purchase credit for the entire period.

“(b) Any person who is retired under the teachers’ or employees’ retirement system of Alabama may receive credit for out-of-state service under the same conditions as is provided herein for active members, except that, in lieu of current compensation, the contribution shall be based on his average final salary at the time of retirement; and, provided, such person was retired on or before July 30, 1979; and, provided further, that such retired person makes his contribution in a lump sum prior to the expiration of a

period being one year next following July 30, 1979. Any retirant so claiming and contributing the amount herein required shall have his retirement allowance redetermined on the basis of such additional creditable service, provided, that any increase in such retirant's retirement allowance shall be payable to him only throughout his life and shall not affect, alter, increase, decrease or in any other way change the amount payable to such retirant's estate or designated beneficiary or surviving spouse, except under the provisions of Option 1, whereunder the contributions made pursuant to this section shall be treated as part of the retirant's accumulated contributions.

"(c) Anything in this section to the contrary notwithstanding, a member shall not receive credit for such out-of-state service where at the time of retirement he has credit or is entitled to any benefits whatsoever for the same service under any other retirement or pension plan, including but not limited to TIAA-CREF, and which is wholly or partly funded from public funds, or other moneys of public institutions of this or any other state or political subdivision thereof; provided, that nothing herein shall be construed to apply to participation in the federal social security program. In the event of disqualification of out-of-state service credit, contributions made under this section by the member shall be refunded to him.

"(d) The retirement system may deduct in 12 equal installments, from the retirement allowance payable to a retired member, any additional contribution necessary to pay the administrative cost incurred in granting the credit hereunder in the event its board of control and consulting actuary thereto determine that the amounts contributed by the member under the provisions hereof are insufficient to pay such administrative cost."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved September 20, 1991

Time: 2:30 P.M.

Act No. 91-790

S. 55 — Senator Mitchell

AN ACT

To amend Section 34-3-2.1, Code of Alabama 1975, relating to the graduates of certain law schools being authorized to take the bar exam, so as to provide further for such graduates and those teaching at such law schools.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 34-3-2.1, Code of Alabama 1975, is hereby amended to read as follows:

“§34-3-2.1.

“So long as the Birmingham School of Law, Miles College School of Law and Jones School of Law maintain a four-year curriculum of law courses for resident law students each consisting of 30 weeks of classes or of one year more than the full-time program at the state university law school, namely the University of Alabama Law School, and with said curriculum covering basic law courses, covering all bar exam courses, and other elective courses sufficient for a four-year program, which courses are taught by licensed attorneys or judges, then, upon satisfactory completion of the courses, the graduates certified by the deans of said institutions shall be deemed to have sufficient legal training to take the bar exam offered by the state of Alabama or any of its agents as prescribed by law.

“If they have other qualifying criteria, they have full rights to sit for the bar exam as any other applicant from any other schools.

“This approval is given for as long as the schools operate and without reservation of powers to act further unless this section is anyway abrogated.”

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved September 20, 1991

Time: 2:31 P.M.

Act No. 91-791

S. 60 — Senator Mitchell

AN ACT

To amend Section 34-3-3 of the Code of Alabama 1975, relating to admission fees for applicants to the state bar, so as to provide further for such fees.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 34-3-3 of the Code of Alabama 1975 is hereby amended to read as follows:

“§34-3-3.

“Applicants for admission to the bar not required by law to take an examination shall pay a fee to be set by the board of commissioners, but not to exceed \$500.00; applicants for admission who are bona fide residents of the state of Alabama who are required to be examined by the board of bar examiners shall pay a fee to be determined by the board of commissioners not to exceed \$400.00, and applicants for admission who are not bona fide residents of the state of Alabama who are required to be examined by the board of bar examiners shall pay the same fee set for residence examinees, plus an additional sum to be determined by the board of commissioners not to exceed \$500.00. The board of commissioners shall not have the authority to increase the fee provided for in this paragraph for applicants who are bona fide residents of the state of Alabama or the additional fee for applicants who are not bona fide residents of the state of Alabama by more than \$25.00 in any one calendar year. Said fees shall become a part of the separate fund provided for in section 34-3-4. Such fees shall be paid to the treasurer, and the treasurer’s receipt therefor shall be filed with the application.”

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved September 20, 1991

Time: 2:32 P.M.

Act No. 91-792

S. 70 — Senator Ghee

AN ACT

To amend Section 36-6-11, Code of Alabama 1975, which relates to longevity pay for state employees, so as to clarify that longevity pay shall be paid on the first day in December of each year in a uniform manner for all state employees eligible for longevity pay.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 36-6-11, Code of Alabama 1975, is hereby amended to read as follows:

“§36-6-11.

“(a) Each person employed by the state of Alabama, and all legislative personnel, officers or employees, including but not limited to legislative reference service personnel, whether subject to the state merit system or not, shall be entitled to and receive in a

lump sum the first pay day of December each year the sum of \$300 per annum after said employee has served for a total period of five years and shall receive said payment until the tenth year of total service, at which time the payment shall be made in a like manner and at a like time but in the amount of \$400 per annum until the fifteenth year of total service, at which time the payment shall be made in a like manner and at a like time but in the amount of \$500 per annum until the twentieth year of total service, at which time the payment shall be made in a like manner and at a like time but in the amount of \$600 as long as he remains in service.

“(b) The above payments shall be in addition to all salaries or wages and shall be in addition to any per diem allowances or expense allowance that may be in force at the time of payment. Said sum shall not be used in computing retirement or other benefits.

“(c) Annually, in time for the payroll for the first pay day in December, it shall be the duty of the personnel department and the administrative office of courts, with regard to judicial employees, the clerk of the house of representatives with regard to house of representative employees, the secretary of the senate with regard to the senate employees, the director of legislative reference service with regard to legislative reference service employees and all department, board, authority and commission heads with regard to all state department, board, authority and commission employees, to determine which state employees are entitled to longevity pay pursuant to this section and the amount thereof due each such employee, and to certify the same to the state comptroller, who shall issue his warrants accordingly.

“(d) There is hereby appropriated such amounts as may be necessary to implement the provisions of this section beginning October 1, 1987, and each year thereafter, from such funds as the salaries of the several state employees are, respectively, paid, or if there is not sufficient money in such funds, then from the general fund or any other fund in the state treasury not otherwise appropriated. Provided, that in the event the general fund appropriation act contains an appropriation for a bonus for state employees for the fiscal year 1987-88, then any such bonus shall be in lieu of the longevity pay provided by this section for said fiscal year only.”

Section 2. The provisions of Section 36-21-3, Code of Alabama 1975, which conflict with this act are repealed. It is expressly the intent of the legislature that state employees eligible for longevity pay under Section 36-21-3, Code of Alabama 1975, shall receive longevity pay in the same manner and on the same day as other state employees and shall receive longevity pay once in a calendar year.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved September 20, 1991

Time: 2:33 P.M.

Act No. 91-793

S. 46 — Senator Bedsole

AN ACT

To amend Section 22-20-3, Code of Alabama 1975, which provides for neonatal testing for certain diseases, so as to authorize certain other tests and the collection of a fee for the newborn screening program.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 22-20-3, Code of Alabama 1975, is hereby amended to read as follows:

“§22-20-3.

“(a) It shall be the duty of the administrative officer or other persons in charge of each institution caring for infants 28 days or less of age, or the physician attending a newborn child or the person attending a newborn child that was not attended by a physician to cause to have administered to every such infant or child in his care a reliable test for hypothyroidism and a reliable test for phenylketonuria (PKU), such as the Guthrie test, or any other test considered equally reliable by the state board of health and a reliable test for sickle cell anemia, sickle cell trait, and/or abnormal hemoglobin and such other tests relating to mental retardation or other heritable diseases and conditions as are designated by the board of health. Provided, however, that the board of health shall designate only conditions that are detectable by mass screening of newborn infants. Initial mass screening tests and the recording of results shall be performed by the public health laboratory at such times and in such manner as may be prescribed by the state board of health; confirmatory tests shall be undertaken by such laboratory facilities as are designated by the attending physician or parent; provided, that no such initial screening or confirmatory tests shall be given to any child whose parents object thereto on the grounds that such tests conflict with their religious tenets and practices. In the event a test is not given to a child on account of such objections by the parents, then no physician, nurse, laboratory technician, person administering tests, hospital, institution or other health care provider shall be liable for failure to administer the test.

“(b) The state board of health shall promulgate such rules and regulations as it considers necessary to provide for the care and treatment of those newborn infants whose tests are determined positive, including but not limited to, advising dietary treatment for such infants. The state board of health shall promulgate any other rules and regulations necessary to effectuate the provisions of this section including the collection of a reasonable fee for the newborn child screening program.”

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved September 20, 1991

Time: 2:34 P.M.

Act No. 91-794

S. 62 — Senator J. Smith

AN ACT

To amend Section 32-6-150, Code of Alabama 1975, relating to the issuance of personalized license plates for colleges and universities, so as to include Athens College within the authorized schools.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 32-6-150, Code of Alabama 1975, is hereby amended to read as follows:

“§32-6-150.

“(a) Owners of motor vehicles who are residents of Alabama, upon application to the probate judge or commissioner of licenses complying with the state motor vehicle laws relating to registration and licensing of motor vehicles and payment of the regular license fee for tags or plates as provided by law for private passenger or pleasure motor vehicles, and the payment of an additional annual fee of \$50.00, shall be issued personalized license tags or plates upon which, in lieu of the numbers prescribed by law, shall be inscribed such special letters, figures, numbers or other marks, emblems, symbols or badges of distinction or personal prestige or combination thereof as are approved for and assigned to the application by the state department of revenue.

“(b) The special marks or badges of distinction shall include distinctive commemorative tags, assigned by the department of revenue for each of those public and private four year colleges or universities and Athens College participating in such commemorative

tag program. The commemorative tags shall be issued, printed and processed in the same manner as other personalized tags are in this chapter. The fee for such commemorative tags shall be the amount provided in subsection (a) herein. Such commemorative tags shall be valid for five years and shall be replaced at the end of the period with conventional tags or other personalized tags. Payment of the required motor vehicle license fees and taxes for the years during which a new vehicle license plate is not issued shall be evidenced as provided for in section 32-6-63. The board of trustees of the respective colleges and universities shall design, or have designed, the commemorative tag subject to approval by the commissioner of revenue and compliance with all laws and regulations.

“(c) The Troy State University commemorative tags issued January 1, 1987, through October 31, 1987, shall continue to be valid without payment of the additional fee provided in this section until the expiration date in the year 1992, or until otherwise becoming invalid or expired provided the regular annual license fees continue to be paid each year.

“(d) Each college or university desiring a commemorative tag shall pay to the department of revenue such sum as the commissioner may require to cover the cost of production of the tags requested by such college or university before any such production occurs.”

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved September 20, 1991

Time: 2:35 P.M.

Act No. 91-795

S. 52 — Senator deGraffenried

AN ACT

To reopen the judicial retirement fund of Alabama in order to allow certain active and contributing circuit judges to claim and purchase credit for certain service in the executive department of the state; or as a full-time assistant district attorney, deputy district attorney or an assistant attorney general and to provide for its termination.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) Any circuit judge who is an active and contributing member of the judicial retirement fund of Alabama and

has been such a member since February 1, 1977 and who has had full-time service as an administrative assistant and/or an executive assistant in the executive department of the state, or who had former service as a full-time assistant district attorney, a deputy district attorney or an assistant attorney general regardless of whether or not such time of service was continuous, may hereby claim and purchase credit in the judicial retirement fund for up to three years of such time of service.

(b) Any circuit judge eligible to claim and purchase credit for such service under subsection (a) of this section shall be awarded such credit provided that such judge shall pay into the judicial retirement fund of Alabama a sum of money which is equal to both the judge's and the state's annual contribution into the fund at the time of election to purchase aforesaid credit multiplied by each year or fraction thereof of such service credit claimed; provided further that such election and payment shall be made to the secretary-treasurer of the employees' retirement systems of Alabama, administrator of the judicial retirement fund, within one year from the effective date of this act and prior to said judge's date of retirement.

(c) The provisions of this section to reopen the judicial retirement fund for such service credit shall terminate one year from the effective date of this act, and no one shall be eligible to utilize any of the options granted herein if not fully exercised and paid prior to such date.

Section 2. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are hereby repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved September 20, 1991

Time: 2:36 P.M.

MEMBERS OF THE SOUTHERN STATES ENERGY BOARD AND THE SOUTHERN GROWTH POLICIES BOARD, SO AS TO INCLUDE LEGISLATIVE MEMBERS OF THE ENERGY COUNCIL; AMENDING THE TITLE AND ACT NO. 83-488, SJR 223 OF THE 1983 REGULAR SESSION, RELATING THERETO.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the title and Act No. 83-488, SJR 223 of the 1983 Regular Session (Acts 1983, p. 686) are hereby amended to read as follows:

HOUSE JOINT RESOLUTION

“RELATING TO MEMBERS OF SOUTHERN STATES ENERGY BOARD. THE SOUTHERN GROWTH POLICIES BOARD AND THE ENERGY COUNCIL.

“BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That any member of the legislature serving as a member of the Southern States Energy Board, the Southern Growth Policies Board or the Energy Council, who is not a member of the Legislative Council shall be entitled to the same compensation, expenses, and transportation allowances for attendance at meetings of such Boards as members of the Legislative Council. All such compensation and expenses authorized by the provisions of this resolution shall be paid from funds appropriated to the use of the Legislature.

“BE IT FURTHER RESOLVED, That the provisions of this resolution shall be construed cumulatively with any and all other provisions relating to legislative compensation.”

Approved September 20, 1991

Time: 2:37 P.M.

Act No. 91-797

H. 17 — Rep. Harper

AN ACT

To amend Act #91-252, which related to an annual appropriation of \$3,500,000 from the Public Road and Bridge Fund of the State Highway Department to the Department of Public Safety for the purchase of equipment for traffic law enforcement, so as to provide that for fiscal year 1991-92, the purposes for which said appropriation shall be lawfully expended shall be the enforcement of state traffic and motor vehicle laws.

Be It Enacted by the Legislature of Alabama:

Section 1. There shall be appropriated annually out of the Public Road and Bridge Fund of the State Highway Department

\$3,500,000 to the State Department of Public Safety, which for the fiscal year ending September 30, 1992, shall be expended for the enforcement of state traffic and motor vehicle laws, and thereafter shall be expended for the purchase of equipment for traffic law enforcement. 1/4th of such appropriation shall be transferred quarterly from the Public Road and Bridge Fund to the Department of Public Safety.

Section 2. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are hereby repealed.

Section 4. This act shall become effective October 1, 1991 upon its passage and approval by the Governor or upon its otherwise becoming a law.

Approved September 20, 1991

Time: 2:38 P.M.

Act No. 91-798

H. 62 — Rep. Turner

AN ACT

To amend Section 40-20-4 of the Code of Alabama 1975 so as to change the period covered by a statement for filing oil and gas privilege tax returns from the month preceding the due date to the second month preceding the due date; to amend §40-20-5 and §9-17-26 to revise the due date from the last day of the month following the month of production to the fifteenth day of the second month following the month of production for the filing of oil and gas privilege and production tax reports; eliminate the need to notarize forms; and to provide rulemaking authority to the department of revenue.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 40-20-4, Code of Alabama 1975, is hereby amended to read as follows:

“Section 40-20-4.

“(a) The department is hereby authorized and directed to administer and enforce the provisions of this article and to collect all of the taxes levied under the provisions hereof. Every person producing or in charge of production of oil and gas shall file a return with the department by the fifteenth day of the second calendar month following the month of production, on forms the department prescribes which must contain a printed declaration

that the information being reported is made under the penalty of perjury, and which must be subscribed by the person who completes such forms, showing the location of each producing property operated or controlled by such producer during the reporting period; the number and kind of wells thereon; the kind of oil or gas produced; the gross quantity thereof produced; the actual cash value thereof at the time and place of production, including any and all premiums received from the sale thereof; the amount of tax due on the total gross production; the portion of gross production payable as royalty and such other information as the department may require.

(b) All persons engaged in the business of severing oil or gas are hereby required to keep full and complete records showing the nature, character and volume of all such oil or gas severed, the value of such oil or gas at the point of production, the manner in which such oil or gas was disposed of, the prices or the consideration received for the sale thereof and the quantity or volume of such oil or gas stored anywhere within or without the state of Alabama; and such records shall at all reasonable times be open for inspection by representatives or agents of the department.

(c) The department or its duly authorized representative or agent shall have the power and authority to inspect all records required to be kept under the provisions of this article, to conduct hearings and to compel the attendance of witnesses for the purpose of determining the amount of taxes due under the terms and provisions of this article.

“(d) The department of revenue is hereby authorized to promulgate reasonable rules and regulations relating to the administration and enforcement of Chapter 20, Title 40 of the Code of Alabama 1975, provided, however, that no rule or regulation adopted or promulgated by the department shall alter, limit, extend or be out of harmony with any of the provisions of Chapter 20, Title 40, of the Code of Alabama 1975.”

Section 2. Section 40-20-5, Code of Alabama 1975, is hereby amended to read as follows:

“Section 40-20-5.

“All reports required under the provisions of this article shall be filed with the department on or before the fifteenth day of the second calendar month following the month of production and shall cover the second preceding calendar month. If any person engaged in severing the natural resources herein defined shall fail or refuse to file the report required herein containing the information required under the provisions of this article within the time prescribed, the department is hereby authorized and directed to

assess a penalty of 10 percent of the amount of the taxes determined to be due. Such penalty may be waived for good and sufficient cause shown. All producers are hereby required to pay to the department all taxes accruing under the provisions of this article for the period of time covered by the report herein required, and such payment shall accompany the required report.

Section 3. Section 9-17-26, Code of Alabama 1975, is hereby amended to read as follows:

“Section 9-17-26.

“(a) It shall be the duty of every person producing or in charge of production of crude petroleum or natural gas from any well or wells in the state of Alabama for sale, transport, storage, profit or for use to keep and preserve such records of the amount of all such crude petroleum oil or natural gas produced for sale, transport, storage, profit or for use as may be necessary to determine the amount of the tax for which he is liable under the provisions of section 9-17-25.

“(b) It shall be the further duty of every such person to file with the department of revenue, not later than the fifteenth day of the second calendar month following the month of production, a return, subscribed by the person who completes such return, which must contain a printed declaration that it is made under the penalty of perjury, showing the amount of crude petroleum oil or natural gas produced for sale, transport, storage, profit or for use during the second preceding month, to compute on the return the amount of tax charged against him in accordance with the provisions of section 9-17-25 and to transmit to the department of revenue with such return a remittance covering the tax chargeable against him. The return shall contain such other information and shall be in such form as the department of revenue shall designate.

“(c) The department of revenue is authorized to determine the gross value at the point of production in accordance with customary practice.

“(d) The department of revenue is hereby authorized to promulgate reasonable rules and regulations relating to the administration and enforcement of Article 1, Chapter 17, Title 9, of the Code of Alabama 1975, provided, however, that no rule or regulation adopted or promulgated by the department shall alter, limit, extend or be out of harmony with any of the provisions of Article 1, Chapter 17, Title 9, of the Code of Alabama 1975.”

Section 4. The provisions of this Act are severable. If any part of the Act is declared unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective the first day of the month following its passage and approval by the Governor or upon its otherwise becoming law.

Approved September 20, 1991

Time: 2:39 P.M.

Act No. 91-799

S.J.R. 25 — Senators Waggoner, Corbett, Mitchell, Amari, Bailey, Barron, Bodsole, Bennett, Bolling, Campbell, deGraffenried, Denton, Dial, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Little, Mitchem, Owens, Parsons, Preuitt, Sanders, B. Smith, J. Smith, Wilson and Windom

SENATE JOINT RESOLUTION

HONORING ANDREW P. HORNSBY, JR., COMMISSIONER OF THE ALABAMA DEPARTMENT OF HUMAN RESOURCES.

WHEREAS, during his tenure as Commissioner of the Alabama Department of Human Resources, Andrew P. Hornsby, Jr., has accomplished remarkable improvements in that agency's administration and in the agency's delivery of services to Alabama's needy and dependent citizens; and

WHEREAS, due to his initiatives, Alabama received national honors when the state's Child Support Program was selected by a Congressional subcommittee as the best in the nation; and Alabama's Food Stamp Program, rated by federal criteria as one of the nation's least efficient five years ago, has for the past two years been ranked among the nation's most efficient; and, with the development of the ASSETS project, Alabama is today nationally recognized as an innovative leader in welfare reform programs designed to help people break the bonds of welfare dependency; and

WHEREAS, due to his leadership, the department reached a landmark settlement in the R.C. v. Hornsby case which permitted the state to retain control of and improve its child welfare system; and

WHEREAS, Mr. Hornsby must regrettably resign from his position with the Department of Human Resources to return to federal service in Washington, D.C.; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Alabama Legislature commends Mr. Hornsby for his invaluable service to the people of Alabama.

BE IT FURTHER RESOLVED, That the membership of the Alabama Legislature wish Mr. Hornsby well in his future endeavors.

Approved September 20, 1991

Time: 2:40 P.M.

Act No. 91-800

S.J.R. 26 — Senator Waggoner

SENATE JOINT RESOLUTION

CONGRATULATING JEANNE WILSON OF VESTAVIA HILLS ON HER 1991 USA TEAM-WORLD WHEELCHAIR WEIGHTLIFTING CHAMPIONSHIP.

WHEREAS, the Alabama Legislature notes with pride the contributions of Jeanne Wilson of Vestavia Hills to the U.S. team championship in World Wheelchair Weightlifting Championships held recently at the University of Rhode Island; and

WHEREAS, Jeanne Wilson, a 23-year-old weightlifter who was born with spinal bifida, won a gold medal in her weight class by bench pressing 132.2 pounds; and

WHEREAS, she has now competed in three World Games competitions, winning the gold in Great Britain in 1989, the silver in France in 1990 and, also in 1990, was the recipient of a prestigious Sington Award as the top female athlete in the physically challenged division; and

WHEREAS, Jeanne's Christian faith, work-out discipline and determination are a tremendous inspiration to her family and friends; and

WHEREAS, she plans to compete in the para-olympics held in conjunction with the regular Olympic games; and

WHEREAS, in November 1991, in a national meet, she feels that she has an excellent chance to break the world bench press record in her weight class; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most heartily congratulate and commend Jeanne Wilson of Vestavia Hills on winning the gold medal for the United States in the 1991 World Wheelchair Weightlifting Championships, and do further direct that she and her parents, Mr. and Mrs. Jerry Wilson, receive copies of this resolution of sincere praise and regard.

Approved September 20, 1991

Time: 2:41 P.M.

Act No. 91-801

S.J.R. 27 — Senator Waggoner

SENATE JOINT RESOLUTION

CONGRATULATING THE VESTAVIA HILLS CHAMBER OF COMMERCE ON THE OCCASION OF THEIR TENTH ANNIVERSARY.

WHEREAS, it is with a sense of great pride that the Legislature of Alabama notes that on September 10, 1991, the Vestavia Hills Chamber of Commerce observed its tenth anniversary of organization celebration at which past presidents C. Pat Reynolds, Jim Herrin, Cleve Earnest, I. Patricia Barr and Glenn Peacock were recognized for their leadership; and

WHEREAS, the Vestavia Hills Chamber of Commerce grew from the dream of the late Tom Humphreys, who was the chairman of the organizing committee and president for the first two years of the organization, and the dedication of Mr. Humphreys with Jim Herrin, Emil Hess and Larry Wright and a small group of community leaders, for the purpose of communication and harmony with the Merchants Association, into a valued community asset in 10 short years, since its charter on October 12, 1981, and has led the whole community into friendly interaction in Fourth of July celebrations and picnics since 1982, the "I LOVE AMERICA DAY" celebrations, the "Citizen of the Year Program," and the Mayor's Prayer Breakfast during the "Dogwood Festival"; and in 1986 Vestavia Hills was honored as Alabama's only Bicentennial Commission; and

WHEREAS, the Vestavia Hills Chamber of Commerce has exhibited strong leadership in business recruitment and hosts an "After Hours Program" and it publishes a monthly news bulletin; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of outstanding public service, community and state leadership, we hereby most highly commend the Vestavia Hills Chamber of Commerce as it observes its tenth anniversary of charter, and do further hereby direct that they receive a copy of this resolution of honor and esteem.

Approved September 20, 1991

Time: 2:42 P.M.

Act No. 91-802

S.J.R. 28 — Senators deGraffenried
and Waggoner

SENATE JOINT RESOLUTION

CONGRATULATING MITCH STRICKLAND OF
TUSCALOOSA ON HIS 1991 USA TEAM-WORLD
WHEELCHAIR WEIGHTLIFTING CHAMPIONSHIP.

WHEREAS, the Alabama Legislature notes with pride the accomplishments of Mitch Strickland of Tuscaloosa during the 1991 USA Team-World Wheelchair Weightlifting Championship held recently at the University of Rhode Island; and

WHEREAS, while lifting in the 181-198 pound class, he bench-pressed 479.5 pounds to win the gold medal for the USA team; and

WHEREAS, among other of Mitch Strickland's accomplishments are national championships in his weight class in 1989, 1990 and 1991; the 1991 Fred Sington Trophy for "The Physically Challenged Male Athlete of the Year Award for the State of Alabama"; the Great Britain Gold Medal in 1989; and the Silver Medal in France in 1990; and

WHEREAS, his workout discipline and determination serve as a tremendous inspiration to his family and friends; and

WHEREAS, Mitch Strickland set the national record for wheelchair bench pressers with a lift of 485 pounds at the USA Olympic Trials and now is more determined than ever to reach 500 pounds; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do hereby

most heartily congratulate Mitch Strickland of Tuscaloosa, Alabama, on his numerous wheelchair weightlifting awards and championships, and do further direct that he receive a copy of this resolution expressing our support for every future success in his quest for new lifting records.

Approved September 20, 1991

Time: 2:43 P.M.

Act No. 91-803

S.J.R. 31 — Senator Sanders

SENATE JOINT RESOLUTION

COMMEMORATING THE LIFE AND SERVICE OF THE
LATE PETER J. KIRKSEY OF GREENE COUNTY, ALABAMA.

WHEREAS, the late Peter J. Kirksey of the Dollarhide community in Greene County, Alabama, and pastor of Pine Grove C.M.E. Church, was a man greatly dedicated to serving the needs of others; and

WHEREAS, the Reverend Kirksey, upon election to the Greene County Board of Education, became the first Afro-American ever elected to public office in Greene County, and served in said capacity from 1966 to 1978; and

WHEREAS, through his works, and in a positive manner, the Reverend Kirksey touched the lives of countless boys and girls, men and women throughout the county, impacting greatly to their good and total well-being; and

WHEREAS, the Reverend Kirksey, a prominent and beloved member of the community, indeed rendered invaluable service through his commitment to excellence in education for the students of Greene County, and through his dedicated efforts in combating the problems faced by youths in the areas of education and extracurricular activities; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in posthumous honor, we hereby most highly recognize, with gratitude, the life and service of the Reverend Peter J. Kirksey of Dollarhide, and do further direct that a copy of this resolution be provided for his family, whose loss is shared by all citizens of Greene County and the State of Alabama.

Approved September 20, 1991

Time: 2:44 P.M.

Act No. 91-804

S. 59 — Senator Mitchell

AN ACT

To repeal Act No. 631, S. 722, 1977 Regular Session, relating to the compensation of the Director of the Legislative Reference Service.

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 631, S. 722, 1977 Regular Session, is hereby repealed.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved September 20, 1991

Time: 3:45 P.M.

Act No. 91-805

H. 37 — Rep. Harper

AN ACT

To amend Section 41-9-249, Code of Alabama 1975, as amended, relating to the powers and duties of the Alabama Historical Commission, so as to provide further therefor; to authorize the said commission or its agent to take by title to, by purchase, gift, lease, devise or otherwise, or to own, keep and develop, hold in trust, convey, sell, transfer, lease and assign, sell and otherwise dispose of certain properties for historical purposes and other valid purposes of the said commission; to provide for the deposit of net revenues hereby generated to be deposited in the general fund of the state treasury, pursuant to Section 41-9-255, Code of Alabama 1975, as amended, which is the Alabama Historic Preservation Fund; to further provide for the expenditure of funds and the maintenance and upkeep of certain donated and otherwise acquired properties, real and personal; and to authorize the commission to convert in whole or in part certain property into securities and to use the proceeds, including interest on its investments, to promote the objectives of the commission.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 41-9-249, Code of Alabama 1975, as amended, is hereby further amended to read as follows:

“§41-9-249.

“The commission shall have the following duties and powers:

“(1) To promote and increase knowledge and understanding of the history of this state from the earliest time to the present, including the archaeological, Indian, Spanish, British, French, colonial, Confederate and American eras, by adopting and executing

general plans, methods and policies for permanently preserving and marking objects, sites, structures and ruins as defined in section 41-9-242;

“(2) To promote and assist in the publicizing of the historic resources of the state by preparing and furnishing information to public mass media and to governmental agencies charged with publicity and to coordinate any of its objectives, efforts or functions with any agency or agencies of the federal government, of the state of Alabama and of other states or local governments having objectives similar or related to those of the commission;

“(3) To accept for renovation, maintenance, restoration, preservation or management and operation any building or site within the state of Alabama owned by the United States, the state of Alabama or any agency or subdivision thereof or by the national trust for historic preservation or by natural or corporate persons, public or private, upon such terms and conditions as to the commission shall be deemed in the best interest of the state of Alabama in conformity with the purposes of this division;

“(4) To acquire, by exercise of the power of eminent domain, historic structures of paramount or exceptional importance, such as those Alabama landmarks eligible for nomination to or recorded in the national register of historic places; provided, that at least two thirds of the members of the commission shall vote to acquire such structures by the exercise of this measure;

“(5) To charge admissions at the various buildings and sites under the control of the commission throughout the state and to sell booklets, pamphlets and souvenirs at said locations and to retain and use the proceeds of said sales and admissions for the furtherance of the purposes of the commission as defined by this division;

“(6) To adopt a seal for the commission and to use the same on its brochures, stationery and other official publications and upon its historic site markers;

“(7) a. To acquire, receive and take title to, by purchase, gift, lease, devise or otherwise, and to own, to hold, keep and develop, and to sell, transfer, convey, lease, and assign to any person or otherwise dispose of property of every kind and character, whether **real, personal or mixed, whether tangible or intangible**, whether in trust or otherwise, together with any and every interest therein, in furtherance of the lawful objectives of the commission;

“b. To negotiate for Dismals Wonder Gardens in Franklin County; to be held in trust for the Alabama Indian Commission. The administration of said property shall be by and with consultation with the Alabama Historical Commission and the Alabama

Indian Commission for the preservation of the historical heritage of said property and shall utilize any proceeds therefrom, including interest on any investments, for the preservation of the property.

“c. To administer such property or trusts, whenever any such property is received or held to be used for the benefit of the historical heritage of the state of Alabama, for preservation of historic sites, buildings and objects, or for other lawful objectives of the commission, as it deems in the best interest of historical preservation or in furtherance of the objective for which the property is held or the donation or gift is made; and to convert such property or any portion thereof into securities or other forms of property and use the proceeds therefrom, including any interest on investments, as it deems will best promote the objectives of the commission;

“d. To accept as trustee, beneficiary, or both, any interest in such property, together with any proceeds from its investment, for the benefit of historical preservation or other purposes of the commission, upon such conditions as may be acceptable to the donor and the commission. No such undertaking entered into by the commission or its agent or agents shall bind the state to pay any state moneys to anyone; provided, however, that nothing herein shall prevent the commission from undertaking payments out of the proceeds from such trust funds as a condition of the acceptance of the donation. All trust funds administered pursuant to this act may be required by the commission to pay the expenses of administering the same. Such gifts shall be deductible from Alabama state income tax by the donor or donors.

“e. To convey title or any interest in real estate by deed or other instrument executed by a majority of the commissioners or by agent or agents authorized by a majority vote of the commission; and to convey property other than real estate by agent or agents authorized by a majority vote of commissioners present and voting.

“(8) To maintain an office in a location in the state to be selected by the commission for the use of the executive director, the employees and the commission and to acquire the necessary furniture and equipment therefor;

“(9) To prepare, create, purchase and distribute pamphlets and brochures describing the various historic buildings and sites under the jurisdiction of the state of Alabama or any of its agencies;

“(10) To make and publish a survey of the buildings, ruins and sites of historic, architectural or archaeological significance within the state of Alabama and to make available such survey to individuals, institutions and governmental bodies desiring copies of same;

“(11) To determine from such survey the buildings, ruins and sites listed therein which are considered worthy of permanent

preservation, to certify same as being worthy and to publish said list;

(12) To establish criteria for the certification, selection and acquisition of historic properties for state ownership and for state aid to local historic site projects;

"(13) To nominate selected landmarks with historic, architectural and archaeological significance to the national register of historic places using priorities established by the commission;

"(14) To establish and maintain an Alabama state historic preservation depository into which may be deposited antiques, relics, artifacts, mementos, paintings and other objects contributed to or acquired by the state or the commission. The commission shall have the authority to restore these objects and to use them for the furnishing of its own historic buildings and other selected landmarks in Alabama;

"(15) To rent or lease any of its acquisitions to public or private agencies;

"(16) To publish an informational newsletter which shall periodically report on and promote local, regional and state historic preservation activities;

"(17) To produce and publish technical ('how to') manuals on historic preservation;

"(18) To publish and present citations and distinguished service awards to selected private and public organizations and individuals for outstanding achievements in preserving the heritage of Alabama;

"(19) To purchase, produce, sell and distribute historic souvenir items;

"(20) To improve, restore, preserve, renovate, maintain, exhibit, repair, rebuild, recreate and reconstruct its acquisitions, and the commission shall have jurisdiction over the same and the exhibits located thereon;

"(21) To purchase or otherwise acquire and to erect and maintain 'historic markers' on such buildings, roads, trails, routes and sites as it shall designate and to cooperate with and assist local, regional and state historical groups in selecting and erecting such markers; and

"(22) To accept the gift of money and real and personal property from any and all public and private sources. Such gifts shall be deductible from Alabama state income tax by the donor."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved September 20, 1991

Time: 3:47 P.M.

Act No. 91-806

H.J.R. 54 — Rep. White

HOUSE JOINT RESOLUTION

DIRECTING THE DEPARTMENT OF PUBLIC SAFETY TO CONTINUE TO EXEMPT CERTAIN PERSONS FOR MEDICAL REASONS FROM THE TINTED WINDOW REGULATIONS.

WHEREAS, the Department of Public Safety promulgated and adopted Rule No. 760-X-1-.17 of the Alabama Administrative Code to regulate the tinting of vehicular windows; and

WHEREAS, in the promulgated rule, the Department recognized the medical need for certain persons to be shielded from the direct rays of the sun and provided for an exemption from the regulation for such persons; and

WHEREAS, subsequent to the adoption of the Rule, the Department of Public Safety has arbitrarily stopped allowing the medical exemption to persons who suffer from all forms of lupus, a disease which makes a patient very sensitive to sunlight; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Department of Public Safety is hereby directed to continue to allow all lupus patients presently being exempted to continue to be exempted and to allow all lupus patients the exemption from the tinted window regulation upon verification of the disease by their physician.

This Act became a law under Section 125 of the Constitution on September 23, 1991 without approval by the Governor.

Act No. 91-807

S. 43 — Senator Horn

AN ACT

To make an appropriation from the Alabama Special Educational Trust Fund to Blackbelt Human Resources, for the fiscal year 1991-92 and to require an operations plan and audited financial statement prior to release of any funds.

Be It Enacted by the Legislature of Alabama:

Section 1. For the fiscal year 1991-92, there is hereby appropriated to the Blackbelt Human Resources for the support and maintenance of said program from the Alabama Special Educational Trust Fund, the sum of fifty thousand dollars (\$50,000).

Section 2. Prior to release of any funds appropriated under this bill for fiscal year 1991-92, an operations plan for fiscal year 1991-92 and an audited financial statement for all operations during fiscal year 1989-90 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1991-92 funds following receipt of these reports.

Section 3. This act shall become effective on October 1, 1991.

This Act became a law under Section 125 of the Constitution on September 24, 1991 without approval by the Governor.

Act No. 91-808

S. 44 — Senator Horn

AN ACT

To make an appropriation from the Alabama Special Educational Trust Fund to the Alabama League for the Advancement of Education for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated to the Alabama League for the Advancement of Education for the fiscal year ending September 30, 1992, the sum of one hundred ten thousand seven hundred twenty-three dollars (\$110,723), out of the funds in the Alabama Special Educational Trust Fund.

Section 2. Prior to release of any funds appropriated under this bill for fiscal year 1991-92, an operations plan for fiscal year 1991-92 and an audited financial statement for all operations during fiscal year 1989-90 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1991-92 funds following receipt of these reports.

Section 3. This act shall become effective on October 1, 1991.

This Act became a law under Section 125 of the Constitution on September 24, 1991 without approval by the Governor.

Act No. 91-809

S. 2 — Senator Denton

AN ACT

Proposing an amendment to the Constitution of Alabama of 1901, as amended, to provide that every mayor, sheriff and elected county official shall be entitled to participate in the Employees' Retirement System of Alabama, its successor state employee retirement system, or any municipal or county retirement system in which the employees of such official's respective municipality or county may participate and such official's participation shall be upon the same terms and conditions as may be specified by law or regulation from time to time for the respective municipal or county employees, as the case may be, participating in such retirement system. For the purposes of this amendment the term "elected county official" shall include any official appointed to serve the remaining term of a county elective office.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as a part thereof when approved by a majority of the qualified electors voting thereon and in accordance with Sections 284, 285 and 287 of the Constitution of 1901 as amended:

PROPOSED AMENDMENT

Every mayor, sheriff and elected county official shall be entitled to participate in the Employees' Retirement System of Alabama, its successor state employee retirement system, or any municipal or county retirement system in which the employees of such official's respective municipality or county may participate and such official's participation shall be upon the same terms and conditions as may be specified by law or regulation from time to time for the respective municipal or county employees, as the case may be, participating in such retirement system. For the purposes of this amendment the term "elected county official" shall include any official appointed to serve the remaining term of a county elective office.

Section 2. An election upon the proposed amendment is ordered to be held at the next general, special, primary or constitutional amendment election after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and the general election laws of this state.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the state. In every county in which no

newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

CONSTITUTIONAL AMENDMENT

Passed the Senate September 11, 1991

Passed the House September 23, 1991

Act No. 91-810

H. 15 — Rep. Newton (C)

AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Greenville in Butler County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Greenville in Butler County are hereby altered, rearranged and extended so as to include within the corporate limits of said City, in addition to the lands now included, all of the following territory, to-wit:

BUTLER COUNTY, ALABAMA

Section TWENTY EIGHT (S28) and Section THREE (S3), except the Northeast Quarter (NE1/4) thereof, all in Township TEN North (T10N), Range FOURTEEN East (R14E).

Also, the South One-Half (S1/2) of Sections NINETEEN and TWENTY (S19 and S20); Sections TWENTY NINE and THIRTY (S29 and S30); the West One-Half (W1/2) of Section TWENTY EIGHT (S28); the East One-Half (E1/2) and the East One-Half (E1/2) of the Northwest Quarter (NW1/4) of Section THIRTY THREE (S33); and the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section THIRTY FOUR (S34), all in Township ELEVEN North (T11N), Range FOURTEEN East (R14E).

Section 2. All laws or parts of laws which conflict with this act are hereby repealed.

Section 3. In accordance with the provisions of Section 11-42-6(b), Code of Alabama 1975, as amended, a map showing what territory is proposed to be annexed to the City of Greenville is on file in the office of the Judge of Probate of Butler County, Alabama, and such map is open to the inspection of the public.

Section 4. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

This Act became a law under Section 125 of the Constitution on September 24, 1991 without approval by the Governor.

Act No. 91-811

S. 47 — Senator Bedsole

AN ACT

To provide for a conditional appropriation of One Hundred Thousand Dollars (\$100,000.00) to the Alabama Department of Conservation and Natural Resources for matching funding or cooperative funding for the federal-state animal damage control program in Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated from the general fund of the state treasury for the fiscal year ending September 30, 1992, the conditional sum of One Hundred Thousand Dollar (\$100,000.00) to the Department of Conservation and Natural Resource, Alabama Animal Damage Control Program. Said appropriation is hereby conditioned on the availability of funds in the State General Fund, the recommendation of the Finance Director and the approval of the Governor.

Section 2. The One Hundred Thousand dollars (\$100,000.00) herein appropriated shall be allocated to the Alabama Animal Damage Control Program to be used as matching funding or cooperative funding with the United States Department of Agriculture, Animal and Plant Health Inspection Service, Animal Damage Control Program in Alabama.

Section 3. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are hereby repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

This Act became a law under Section 125 of the Constitution on September 24, 1991 without approval by the Governor.

Act No. 91-812

H. 75 — Rep. Harper

AN ACT

To make appropriations for the support, maintenance and development of public education, specifically for certain public education functions performed by the State Department of Education; the Student Linkage Apprenticeship Project; the Project DARE - Drug Education Programs; the Public Education Employees Health Insurance Board for claims and a 20% reserve; and, the Alabama Center for Quality and Productivity from the Alabama Special Educational Trust Fund (ASETF) for the fiscal year ending September 30, 1992. Such appropriations are conditioned on the determination by the Alabama Court System that the attempted line-item veto of these appropriations in Act 91-732 is constitutional.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated to the following public educational functions and entities the listed amounts from the Alabama Special Educational Trust Fund (ASETF) for the fiscal year ending September 30, 1992.

A. EDUCATION, DEPARTMENT OF:

(1) Administrative Services Program.....	840,375
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Leadership and Management	540,375
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Of the above appropriation to Leadership and Management, an amount up to \$242,560 shall be expended on Project LEAD.

Electronic Network	300,000
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SOURCE OF FUNDS:

(1) ASETF	840,375	
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Total Administrative Services Program.....	840,375	840,375
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(2) Community Education Program.....		759,728
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Of the above appropriation to the Department of Education, \$81,838 shall be allocated to the Birmingham Board of Education and \$15,000 shall be allocated for a continuing education

program to be administered
by the University of Ala-
bama in Huntsville.

SOURCE OF FUNDS:

(1) ASETF	759,728	
Total Community Education Program	759,728	759,728
(3) Local Agency Support Program		440,186
Advanced Placement...	440,186	

SOURCE OF FUNDS:

(1) ASETF	440,186	
Total Local Agency Support Program	440,186	440,186

**TOTAL DEPARTMENT OF
EDUCATION:**

SOURCE OF FUNDS:

(1) ASETF	2,040,289	
Total Department of Education	2,040,289	2,040,289

**B. EDUCATION, STATE
BOARD OF — LOCAL
BOARDS:**

(1) State Board of Education, Local Boards Program	350,000
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SOURCE OF FUNDS:

(1) ASETF	350,000	
Total State Board of Educa- tion — Local Boards	350,000	350,000

To be distributed by the State
Board of Education for:

(a) Vocational Education	350,000
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The appropriation herein-
above for Vocational Educa-
tion shall be disbursed for
the Student Linkage
Apprenticeship Program.

**C. PROJECT DARE —
DRUG EDUCATION PRO-
GRAM:**

(1) Project DARE — Huntsville	385,120
(2) Project DARE — Birmingham	192,560
(3) Project DARE — Bessemer	28,000

SOURCE OF FUNDS:

(1) ASETF	605,680	
Total Project DARE — Drug Education	605,680	605,680

**D. HEALTH INSURANCE
BOARD, PUBLIC EDUCA-
TION EMPLOYEES':**

**(1) Administrative Support
Services Program**

In addition to the amount appropriated to the Public Education Employees' Health Insurance Board in Act 91-732, there is hereby appropriated from the Alabama Special Educational Trust Fund such additional amount as may be necessary to fully fund health claims plus maintain a twenty percent (20%) reserve in the PEEHIP fund based on claims paid in the fiscal year beginning October 1, 1991. At the end of each quarter of the fiscal year beginning October 1, 1991, the PEEHIP Board shall certify to the State Finance Director and the Legislative Fiscal Officer the amount of paid claims for that quarter and the Board's best estimate of the amount necessary to pay claims for the remainder of the fiscal year and the

amount necessary to maintain a 20% reserve based on such estimate for the fiscal year ending September 30, 1992. By September 15, 1992, the PEEHIP Board shall certify to the State Finance Director and the Legislative Fiscal Officer the amount of paid claims through August 31, 1992. The State Finance Director shall direct that the additional amount necessary to insure that the PEEHIP actual claims paid through August 31, 1992 and a reasonable estimate of claims to be paid in September, 1992 based on actual paid claims through August, are fully paid plus the additional amount necessary for the maintenance of a 20% reserve based on paid claims for fiscal year 1992 shall be transferred from the Alabama Special Educational Trust Fund to the PEEHIP fund. Such transfer must be made prior to September 30, 1992.

Provided, however, that if the benefit level is increased by administrative action by the Public Education Employees Health Insurance Board, the provisions of this subsection, specifically lines 24 through 34 on page 3 and lines 1 through 31 on page 4, shall be null and void.

E. ALABAMA CENTER FOR QUALITY AND PRODUCTIVITY — TO BE ADMINISTERED BY CALHOUN STATE COMMUNITY COLLEGE:

(1) Operations and Maintenance.....		585,000
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SOURCE OF FUNDS:

(1) ASETF.....	585,000	
Total Alabama Center for Quality and Productivity.....	585,000	585,000

Section 2. The appropriations from the Alabama Special Educational Trust Fund (ASETF) provided for in this Act are conditional. Said appropriations shall become effective upon the determination by any Alabama court of competent jurisdiction that the attempted line-item veto of certain appropriations in Act 91-732 is constitutional and valid. In the event that the Alabama Supreme Court determines that the line-item veto of certain appropriations Act 91-732 is unconstitutional and null and void, the provisions of this bill shall not become or remain effective.

Section 3. That, if any section, paragraph, sentence, clause, provision or portion of this Act or all or any portion of any appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

Section 4. This Act shall become effective October 1, 1991.

This Act became a law under Section 125 of the Constitution on September 24, 1991 without approval by the Governor.

Act No. 91-813

H. 36 — Rep. Harper

AN ACT

To make an appropriation from the State General Fund to the Alabama's Young Woman of the Year Program and to the America's Young Woman of the Year Program for the fiscal year ending September 30, 1992, and to require an operations plan and audited financial statement prior to release of any funds.

Be It Enacted by the Legislature of Alabama:

Section 1. For the fiscal year ending September 30, 1992, there is hereby appropriated to the Alabama's Young Woman of the Year Program from the State General Fund the sum of Twelve thousand Five hundred dollars (\$12,500).

Section 2. For the fiscal year ending September 30, 1992, there is hereby appropriated to the America's Young Woman of the Year Program from the State General Fund the sum of Fifty thousand dollars (\$50,000).

Section 3. Prior to release of any funds appropriated under this bill for fiscal year 1991-92, an operations plan for fiscal year 1991-92 and an audited financial statement for all operations during fiscal year 1989-90 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1991-92 funds following receipt of these reports.

Section 4. This act shall become effective on October 1, 1991.

This Act became a law under Section 125 of the Constitution on September 24, 1991 without approval by the Governor.

Act No. 91-814

H. 6 — Reps. Ford, Smith (R)

AN ACT

To provide for an appropriation from the Alabama Special Educational Trust Fund to the Attalla City Board of Education for the fiscal year ending September 30, 1991, for repairs to any school damaged by fire in said city.

Be It Enacted by the Legislature of Alabama:

Section 1. For the fiscal year ending September 30, 1991, there is hereby appropriated to the Attalla City Board of Education from the Alabama Special Educational Trust Fund the sum of one hundred thousand dollars (\$100,000.00). Such funds shall be used for repairs to any school damaged by fire in Attalla.

Section 2. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are hereby repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

This Act became a law under Section 125 of the Constitution on September 24, 1991 without approval by the Governor.

Act No. 91-815

H. 16 — Rep. Harper

AN ACT

To make an appropriation from the State General Fund to the Shoals Entrepreneurial Center for the fiscal year ending September 30, 1992 and to require an operations plan and audited financial statement prior to the release of any funds.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated to the Shoals Entrepreneurial Center the sum of One hundred fifty thousand dollars (\$150,000) out of the funds in the State General Fund for the fiscal year ending September 30, 1992.

Section 2. Prior to release of any funds appropriated under this bill for fiscal year 1991-92, an operations plan for fiscal year 1991-92 and an audited financial statement for all operations during fiscal year 1989-90 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1991-92 funds following receipt of these reports.

Section 3. This act shall become effective on October 1, 1991.

This Act became a law under Section 125 of the Constitution on September 24, 1991 without approval by the Governor.

Act No. 91-816

H. 77 — Rep. Powell

AN ACT

Relating to Autauga County; authorizing the county commission to levy an additional ad valorem tax outside the corporate limits of the city of Prattville; and providing for a referendum for approval of the tax by the qualified electors of the area.

Be It Enacted by the Legislature of Alabama:

Section 1. Pursuant to subsection (f) of Amendment No. 373 to the Constitution of Alabama of 1901, and a resolution heretofore adopted by the county commission of Autauga County after a public hearing, the county commission is hereby authorized to levy, in addition to any and all other taxes heretofore levied, an additional ad valorem tax in the amount of 7 mills on each dollar of taxable property outside the corporate limits of the city of Prattville. The revenues from said tax shall be paid to the county general fund to

be used exclusively for emergency services within the area affected.

Section 2. The increase in the rate of said tax as provided herein is subject to the approval of a majority of the qualified electors of the area affected who vote on the proposed increase at a special election called and held for such purposes pursuant to the provisions of subsection (f) of Amendment No. 373 to the Constitution.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved October 4, 1991

Time: 2:10 P.M.

Act No. 91-817

H. 78 — Rep. Clay

AN ACT

Relating to Macon County; providing further for the compensation of the chairman of the Macon County Commission.

Be It Enacted by the Legislature of Alabama:

Section 1. In Macon County, beginning either upon the chairman of the county commission being sworn in for the term of office which begins in 1991, or upon the ratification date of a constitutional amendment authorizing the legislature by local law to fix, regulate or alter the fees, commissions, salaries or allowances of certain local officials in the county the annual salary of the chairman of the county commission shall be \$48,400.00 per annum. Such salary shall be in lieu of any and all other salary heretofore payable and shall be paid in equal monthly installments out of the county general fund as the salaries of other county employees are paid.

Section 2. All laws or parts of laws which conflict with this act are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved October 4, 1991

Time: 2:11 P.M.

Act No. 91-818

H. 79 — Rep. Ford

AN ACT

Relating to Etowah County; to amend Act No. 91-158 of the 1991 Regular Session of the Legislature of Alabama, to provide that the net proceeds from the tax levied by the county commission of Etowah County pursuant to Act No. 91-158 will be deposited into a special fund of the county to be used only for the payment of the principal and premium, if any, of and interest on any bonds, warrants or other certificates of indebtedness issued by the county to finance the construction and maintenance of the county jail and the renovation of the existing county courthouse, or for the leasing by the county of a county jail and county courthouse from the Etowah County Public Building Authority or from any other entity and to ratify said Act No. 91-158 and the tax levied by the county commission pursuant to said act.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 5 of Act No. 91-158 of the 1991 Regular Session of the Legislature of Alabama, is hereby amended to read as follows:

“Section 5. The net proceeds from whichever tax the county commission chooses to levy under this act shall be deposited into a special fund of the county to be used only for the principal and premium, if any, of and interest on any bonds, warrants or other certificates of indebtedness issued by the county to finance the construction and maintenance of a county jail and the renovation of the existing county courthouse, or for the leasing by the county of a county jail and county courthouse from the Etowah County Public Building Authority or from any other entity.”

Section 2. The levy heretofore by the county commission of all taxes pursuant to Act No. 91-158, irrespective of any irregularity in the proceedings with respect to the levy thereof, is hereby ratified and confirmed, and all taxes so levied shall be deemed to have been duly and legally levied and are hereby ratified and validated in all respects.

Section 3. Act No. 91-158, as amended hereby, is ratified and confirmed in all respects.

Section 4. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are hereby repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved October 4, 1991

Time: 2:12 P.M.

Act No. 91-819

H.J.R. 70 — Rep. Butler

HOUSE JOINT RESOLUTION

COMMENDING HAROLD O. HILL OF MADISON, ALABAMA.

WHEREAS, in consensus of commendation, the Alabama Legislature recommends Harold O. Hill of Madison, Alabama, to be the recipient of the William T. Hornaday Award for Distinguished Service in Conservation, a prestigious honor bestowed by the Boy Scouts of America; and

WHEREAS, a native of Huntsville and a highly decorated United States Navy veteran with active military service from 1948-1952, Mr. Hill retired in 1975, following longtime career employment with the Department of the Army; and

WHEREAS, Mr. Hill, a dedicated conservationist firmly committed to the promotion of conservation and revitalization of waterfowl and wetlands in the Tennessee Valley, established Lake Rosemary Wildlife Refuge in 1974, and has since worked tirelessly to develop a waterfowl conservation resource that has had a tremendous impact on wildlife habitat; and

WHEREAS, as a result of Mr. Hill's endeavors, Canadian Geese once again are seen throughout the Tennessee area, wood duck populations have greatly increased, and the benefits of his many other conservation-oriented and wildlife management projects are visible throughout the area; and

WHEREAS, Mr. Hill, in previous recognition, has received the Governor's Wildlife Conservation Award from the Alabama Wildlife Federation, and was named the Sears Roebuck Company 1986 Wildlife Conservationist; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend Harold O. Hill of Madison, Alabama, for Outstanding service in conservation, and do further direct that he receive a copy of this resolution of highest honor and esteem.

Approved October 4, 1991.

Time: 2:13 P.M.

Act No. 91-820

H.J.R. 75 — Rep. Laird

HOUSE JOINT RESOLUTION

CONGRATULATING THE REVEREND AND MRS. LEWIE F. STANFORD ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

WHEREAS, the Alabama Legislature notes with pleasure the Golden Wedding Anniversary Celebration, October 5, 1991, of the Reverend and Mrs. Lewie F. Stanford; and

WHEREAS, joined in wedlock in the sight of God, Reverend and Mrs. Stanford, forsaking all others, have remained in said holy state for the past 50 years; and

WHEREAS, adhering to Biblical admonition, they have lived their lives as one, devoted each to the other, and have been steadfastly faithful to their wedding vows, setting an example to be emulated by all others who, in marriage, pledge themselves to one another until parted by death; and

WHEREAS, Bro. Stanford, who was active in the Church of God ministry for more than 50 years, served a number of pastorates throughout the State from 1952 until his retirement in 1984, and he and his devoted wife, over the years, have brought many blessings into the lives of others; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we join with family and friends in congratulating this exemplary couple, the Reverend and Mrs. Lewie F. Stanford, and wish them many more happy years together in their union so richly blessed by God.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to Bro. and Sis. Stanford that they may know of our congratulations and warm best wishes for the future.

Approved October 4, 1991

Time: 2:14 P.M.

Act No. 91-821	H.J.R. 76 — Reps. McMillan, Penry, Anderson, Barnes, Beasley, Biddle, Black (L), Black (M), Blakeney, Bowling, Box, Bryant, Bugg, Burke, Buskey (JE), Buskey (JL), Butler, Cagle, Campbell, Carns, Carothers, Carter, Clark (J), Clark (W), Clay, Cosby, Crow, Cullins, Curry, Dolbare, Drake, Escott-Russell, Flowers, Ford, Freeman, Fuller, Gaines, Gaston, Goodwin, Grayson, Gullatt, Hall, Hamilton, Hammett, Haney,
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Harper, Harvey, Hawkins,
 Haynes, Higginbotham, Hill,
 Hogan, Holladay, Holley, Holmes,
 Hooper, Johnson, Kennedy,
 Knight, Kvalheim, Laird, Layson,
 Letson, Lindsey, Mathis, McClain,
 McDaniel, McDowell, McKee,
 Melton, Mikell, Millican, Morrow,
 Morton, Newton (C), Newton (D),
 Parker (P), Parker (T), Payne,
 Perdue, Petelos, Poole, Powell,
 Rich, Richardson, Rockhold,
 Rogers (F), Rogers (J), Sanderford,
 Sanderson, Smith (C), Smith (R),
 Spratt, Starkey, Thomas, Turner,
 Turnham, Venable, Walker,
 Warren, White, Williams, Willis,
 Zoghby

HOUSE JOINT RESOLUTION

NAMING "JILL HALL AEROBIC TRAIL" IN BALDWIN COUNTY, ALABAMA.

WHEREAS, Jill Grass Hall graduated from Fairhope High School; was a summa cum laude graduate of Faulkner State Junior College; and a magna cum laude graduate of the University of South Alabama; and

WHEREAS, the late Jill Grass Hall was an outstanding educator who was much admired and respected by her professional colleagues, students and their parents; and

WHEREAS, Ms. Hall achieved widespread recognition locally, statewide and nationally for her athletic accomplishments as a marathon runner who set several Alabama records, in diverse age groups, and at various distances; and

WHEREAS, through long hours of intensive training, Ms. Hall developed into a world class Triathlon athlete and finished fourth in her age group in the 1987 Ironman Triathlon World Championship; and

WHEREAS, much of Ms. Hall's intensive training took place on an aerobic path which parallels Scenic Highway 98 south of Fairhope, Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition and in commemoration of Ms. Hall and her many accomplishments, we hereby name and designate the aerobic path that parallels

Scenic Highway 98 in Baldwin County, Alabama, from Nelson Road south to the Grand Hotel at Point Clear, as "The Jill Hall Aerobic Trail."

BE IT FURTHER RESOLVED, That the proper officials are hereby authorized to erect and maintain appropriate signs and markers so designating said path as "The Jill Hall Aerobic Trail."

RESOLVED FURTHER, That a copy of this resolution be provided for the family of the late Jill Grass Hall.

Approved October 4, 1991

Time: 2:15 P.M.

Act No. 91-822

H.J.R. 81 — Rep. Black (L)

HOUSE JOINT RESOLUTION

COMMENDING DR. SUSAN ANN JONES FOR OUTSTANDING SERVICE TO THE RESIDENTS OF SUMTER COUNTY.

WHEREAS, Dr. Susan Ann Jones, a native of Lafayette, Louisiana, is a Cum Laude graduate of the University of Southwestern, Louisiana, where she received her B.S. degree in December 1982; and

WHEREAS, she also is a 1985 graduate of Louisiana State University School of Medicine, and completed both her internship and residency in Internal Medicine at Emory University Affiliated Hospitals; and

WHEREAS, for the past several years, Dr. Jones has provided many west Alabama area residents with excellent medical care, serving as Staff Physician with West Alabama Health Services, Inc., in Eutaw from July 1988 to April 1989, and, since that date, as Managing Physician of West Alabama Health Services, Inc., Livingston, Alabama; and

WHEREAS, Dr. Jones, who is Board Certified in Internal Medicine, also holds ATLS and ACLS Certification, and enjoys hospital privileges at both Greene County Hospital in Eutaw and Hill Hospital of York; and

WHEREAS, she is professionally affiliated with the American College of Physicians, the Medical Association of the State of Alabama and Greene County Medical Society; and

WHEREAS, Dr. Jones further is the recipient of such prestigious awards and honors as Outstanding Young Women in America, Who's Who Among Students in American Colleges and Universities, Phi Kappa Phi, Vermillion Honor Society and 1987 Louisiana TRIO Achiever; and

WHEREAS, Dr. Susan Ann Jones has indeed provided the residents of Sumter County and surrounding area with outstanding medical care, and it is with sincere and deep gratitude that her many patients have welcomed her to the community; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby commend Dr. Susan Ann Jones for invaluable service to the people of Sumter County, Alabama, and do further pay highest tribute to her dedicated commitment to excellence as a conscientious and caring physician.

BE IT FURTHER RESOLVED, That a copy of this resolution be prepared for presentation to Dr. Jones.

Approved October 4, 1991

Time: 2:16 P.M.

Act No. 91-823

H.J.R. 83 — Rep. Cosby

HOUSE JOINT RESOLUTION

COMMENDING JACK CHANDLER FOR OUTSTANDING SERVICE TO THE CITY OF SELMA AND AREA RESIDENTS.

WHEREAS, the Alabama House of Representatives notes with highest commendation, the invaluable service rendered by Jack Chandler of Selma, Alabama, as manager of the Selma Water Works water plant on Selma Avenue and the waste water treatment plant at Bloch Park for the past 30 years; and

WHEREAS, Mr. Chandler, over the years, has assumed ever-increasing responsibilities related to procedural improvements in the city's water and waste water systems and strict compliance with standards set by the Environmental Protection Agency and the Alabama Department of Environmental Management; and

WHEREAS, Mr. Chandler, who manages a system that supplies water for more than 25,000 people each day, also is involved with activities of the Alabama Water and Pollution Control Association

and, in recognition of his accomplishments and for his contributions to the association's seminar and training program, was awarded the prestigious Bolton-Crockett-Beck Award; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend Jack Chandler of Selma, Alabama, for outstanding service to the Selma Water Works, the Alabama Water and Pollution Control Association, to the citizens of the Selma area, and to the state.

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to Mr. Chandler in token of our sincere admiration and regard.

Approved October 4, 1991

Time: 2:17 P.M.

Act No. 91-824

H. 38 — Rep. Harper

AN ACT

To amend Sections 12-19-171, 12-19-172, 12-19-179, 12-14-14 and 32-5-313, Code of Alabama 1975, so as to increase certain costs on traffic infractions or offenses in municipal, district and circuit court and to provide for the distribution of the increase, to further redesignate the title of a fund, and to further repeal certain penalties on traffic infractions.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 12-19-171, Code of Alabama 1975, is hereby amended to read as follows:

“§12-19-171.

“(a) The following docket fees shall be collected for juvenile and criminal cases in the district court and the circuit court:

“(1) District Court:

“a. Traffic infraction.....	47.00
“b. Issuance of alias writ.....	20.00
“c. Misdemeanor-violation	62.00
“d. Felony guilty plea	130.00
“e. Preliminary hearing	30.00
“f. Bond forfeiture.....	35.00

“(2) Circuit Court:

“a. Issuance of alias writ.....	30.00
“b. Misdemeanor.....	62.00

"c. Felony	130.00
"d. Bond forfeiture.....	35.00

"(3) Docket fees for cases in the juvenile division of the district court or circuit court shall be assessed at \$40.00 and shall be distributed as follows: \$7.00 to the fair trial tax fund, \$18.00 to the state general fund, \$10.00 to the county general fund, and \$5.00 to the peace officers' standards and training fund. Uncollected court costs in juvenile cases may not be assessed as charges against the county.

"(b) A fee of \$8.00 shall be collected for the issuance of each witness subpoena. Witness subpoena fees shall be in addition to docket fees. The subpoena fee shall be distributed five dollars to the county general fund and three dollars to the state general fund."

Section 2. Section 12-19-172, Code of Alabama 1975, is hereby amended to read as follows:

"§12-19-172.

"(a) The following docket fees shall be collected for municipal ordinance cases in the district court:

"(1) Traffic infraction	\$47.00
"(2) Issuance of alias writ	20.00
"(3) Other ordinance violations	62.00
"(4) Bond forfeiture	35.00

"(b) On appeals de novo to the circuit court, the docket fees in municipal ordinance cases shall be the same as those collected for misdemeanor cases."

Section 3. Section 12-19-179, Code of Alabama 1975, is hereby amended to read as follows:

"§12-19-179.

"(a) The following distribution shall be made of docket fees for traffic infractions in district court: \$3.00 to the police officers' annuity fund; \$7.00 to the fair trial tax fund; \$8.50 to the state drivers' fund; \$18.00 to the state general fund; \$3.00 to the county general fund; an arrest fee of \$5.00 to the state general fund or the state funds prescribed by law; except, that the arrest fee shall be paid into the county general fund in cases initiated by county law enforcement officers; and \$2.50 to the district attorney fund or to the fund prescribed by law for district attorney fees.

"(b) Fees for issuance of alias writs from circuit and district courts shall be distributed as follows: writs issuing from district court, \$2.00 to the county general fund; \$18.00 to the state general fund; writs issuing from circuit court, \$5.00 to the county general fund; \$25.00 to the state general fund."

Section 4. Section 12-14-14, Code of Alabama 1975, is hereby amended to read as follows:

“§12-14-14.

“In addition to any costs and charges fixed by law upon conviction for violations of municipal ordinances in municipalities having a municipal court, \$12.00 shall be assessed and collected as other costs and charges are collected. Five dollars of such sum shall be remitted to the state general fund; \$5.00 shall be remitted to the general fund of the municipality maintaining the municipal court; and \$2.00 shall be remitted to the Alabama peace officers’ annuity and benefit fund established pursuant to section 36-21-66. In addition, the governing body of each municipality having a municipal court may by ordinance provide for the imposition of other costs in the maximum amount of \$10.00, which sum shall be in addition to any other costs and charges fixed by law for conviction of any municipal ordinance violation.”

In addition in all violations of municipal ordinances involving traffic offenses, there shall be assessed and collected as other costs and charges \$8.50, to be disbursed to the state drivers’ fund for further distribution pursuant to section 32-5-313.

Section 5. Section 32-5-313, Code of Alabama 1975, is hereby amended further to read as follows:

“§32-5-313.

All monies collected pursuant to section 12-14-14 and section 12-19-1, et seq., for disbursement to the state drivers’ fund shall be forwarded by the officer of the court who collects the same to the state treasurer, no less than once a month and not later than the fifteenth day of each month. All amounts so received shall be credited to special funds to be designated the “driver education and training fund,” “Alabama college system truck driver training consortium fund,” the “catastrophic trust fund for special education,” and the “Alabama traffic safety center fund,” and of the amounts so received, an amount equal to 21 percent thereof is hereby appropriated to the state department of education for the sole purpose of instituting and conducting a program of prelicensing driver education and training; an amount equal to 36 percent thereof is hereby appropriated to the state department of postsecondary education to be distributed equally to the entities comprising the Alabama college system truck driver training consortium on the effective date of this act for the sole purpose of instituting and conducting programs of truck driver education and training as outlined by the U.S. Department of Transportation with support and recommendations from the transportation industry within such Alabama college system truck driver

training consortium provided, however, that these funds shall be expended only by institutions under the control of the state board of education; an amount equal to 10 percent thereof is hereby appropriated to the Alabama traffic safety center fund for the sole purpose of conducting programs in traffic safety, motorcycle safety and boating safety by the center; an amount equal to 3 percent is hereby appropriated to the state safety coordinating committee for payment of administrative expenses incurred in its programs; and the remaining 30 percent is hereby appropriated to the catastrophic trust fund for special education to be administered by the state department of education except that before the above distribution occurs, the amount equivalent to an amount generated by one dollar & fifty cents of the above increase shall be transferred to the Commercial Drivers License Unit of the Department of Public Safety and is hereby appropriated to the Department of Public Safety for the sole purpose of administering the Commercial Driver License Law."

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

Approved October 4, 1991

Time: 2:19 P.M.

Act No. 91-825 H.J.R. 87 — Reps. Harper, Mathis, Campbell,
Buskey (JL), Turnham, Zoghby,
Clark (J), Burke, Parker (T),
Freeman, Buskey (JE), Johnson,
Penry, Higginbotham, Starkey,
Kennedy, Fuller, Williams,
Rogers (J), Carothers, McClain

HOUSE JOINT RESOLUTION

URGING THE LEGISLATURE TO CONSIDER A TAX REFORM PROGRAM DURING THE 1992 REGULAR SESSION.

WHEREAS, the Legislature's recent difficulties in passing the state budgets have demonstrated and shed new light on the magnitude of Alabama's revenue problems; and

WHEREAS, the Legislature, in recent years, has been confronted with one financial crisis after another, which resulted in temporary solutions to continuing problems; and

WHEREAS, the Legislature was fortunate during the recent special session to find monies to support some General Fund agencies, but it is extremely doubtful that the state can continue to find such solutions in the future; and

WHEREAS, the Alabama Commission on Tax and Fiscal Policy Reform, as created by Act No. 90-734, has made its recommendations and has proposed legislation; and

WHEREAS, the time has come for the Legislature and other state leaders to consider and adopt comprehensive tax reform; now therefore,

BE IT RESOLVED BY THE LEGISLATURE, BOTH HOUSES THEREOF CONCURRING, That the Permanent Joint Legislative Committee on Finances and Budgets and the Interim Committee to Study the Tax Structure with the assistance of the speaker pro tempore of the House of Representatives and the president pro tempore of the Senate, begin, as soon as possible, evaluating and analyzing the written recommendations and the proposed legislation submitted to the Alabama Commission on Tax and Fiscal Policy Reform.

Each member of the committees, the speaker pro tempore and the president pro tempore shall be entitled to regular legislative compensation, per diem and travel expenses for each day he or she attends a meeting of the committees, which shall be paid out of the funds appropriated to the use of the Legislature, on warrants drawn on the state comptroller upon requisition signed by the committee chairmen, provided however, that members shall not receive additional compensation or per diem when the Legislature is in session.

BE IT FURTHER RESOLVED, That the Legislature finds and determines that it should now consider and adopt a comprehensive and equitable tax reform program, which would ensure adequate funding for the necessary functions of state government, during the 1992 Regular Session.

Approved October 4, 1991

Time: 2:20 P.M.

Act No. 91-826H.J.R. 88 — Reps. Harper, Zoghby,
Rockhold, Gaston,
Kvalheim,
Buskey (JE), Penry,
Kennedy, Clark (W)

HOUSE JOINT RESOLUTION

COMMENDING MRS. EVA GOLSON OF MOBILE COUNTY,
ALABAMA.

WHEREAS, Mrs. Eva Golson of Mobile County has exhibited outstanding leadership in tourism promotion for that area and the State of Alabama for a number of years; and

WHEREAS, she has worked diligently to raise the level of awareness of tourist attractions in the City of Mobile through the superb operation of Fort Conde as the official tourist information center; and

WHEREAS, she has served with distinction as president of the Alabama Travel Council and subsequently received its highest award; and

WHEREAS, she has served with distinction on the Advisory Board of the Bureau of Tourism and Travel and now serves as Ex Officio on the same board; and

WHEREAS, she has served the Southeast Tourism Society as Vice President-Alabama and has recently been elevated to First Vice President; and

WHEREAS, Mrs. Golson has been singularly honored as the recipient of the Southeast Tourism Society's coveted President's Award; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most heartily congratulate Mrs. Eva Golson on her achievements, and do further direct that she receive a copy of this resolution of sincere commendation in appreciation for her service to the citizens of Alabama.

Approved October 4, 1991

Time: 2:21 P.M.

Act No. 91-827

H.J.R. 90 — Rep. Campbell

HOUSE JOINT RESOLUTION

RELATIVE TO MEETING DAYS

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That when the two houses adjourn today, Tuesday, September 24, 1991, they adjourn sine die.

Approved October 4, 1991

Time: 2:22 P.M.

Act No. 91-828

H. 10 — Rep. Williams

AN ACT

To provide that certain former employees of the Department of Public Safety shall be entitled to all rights, benefits and privileges accorded to other retired state law enforcement officers and shall receive a retired badge, a retired commission card, and a pistol. This bill provides that state agencies may provide for certain elective benefits for any period of time in excess of 21 working days per calendar year.

Be It Enacted by the Legislature of Alabama:

Section 1. Any individual employed by the Alabama Department of Public Safety as a law enforcement officer for a period of ten years or more who left the department in good standing prior to December 31, 1970, with a rank of sergeant or higher, shall, upon reaching the age of 56 years, be entitled to all rights, benefits and privileges accorded to other retired state law enforcement officers and shall receive from the department, without cost to him, a retired badge, a retired commission card, and a pistol.

Section 2. Notwithstanding the provisions of Section 31-2-13, Code of Alabama, 1975, on or after October 1, 1990, any said public or private employer of any of the aforesaid officers and/or employees may elect to pay said officers and/or employees for any period of time in excess of 21 working days per calendar year. Such election may also include any or all benefits to which an employee would otherwise be entitled. Provided further, that such election shall be entirely within the discretion of said employer, may be limited for particular purposes or activities, and is subject to revocation at any time said employer should so elect. It is further provided that such elective payments, when combined with the employee's or officer's armed services or military compensation, shall not exceed his full civilian salary, and shall not exceed a total period of 180 working days. The elective benefits herein authorized shall be limited to the present conflict and shall in no event continue past December 31, 1991.

Section 3. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are hereby repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. Provided, the provisions of Section 2 of this Act shall be retroactive effective to October 1, 1990, and all actions taken by any employer consistent with this section on or after that time are hereby validated.

Approved October 4, 1991

Time: 2:25 P.M.

Act No. 91-829

S. 73 — Senator Wilson

AN ACT

To create an Economic and Industrial Development Authority for Walker County for the purpose of promoting industry and trade in said county and to provide for the organization, powers, functions, duties and personnel of such authority.

Be It Enacted by the Legislature of Alabama:

Section 1. For the purpose of promoting industry and trade and to assist the county governing body in its pursuits therefor, there is hereby created an Economic and Industrial Development Authority of Walker County which shall be administered by a board of directors composed of not more than nine (9) members. Such board members shall be present citizens of Walker County currently residing within Walker County. The members of such board shall be appointed by the Walker County legislative delegation. Each member shall be a resident and qualified elector of the house or senate district represented by his or her appointing authority. The members shall serve for terms of six years. Successors to such original board members shall be appointed in the same manner as the original members are appointed and all members shall serve until their successors are so appointed. Vacancies on such board shall be filled by the appointing authority making the original appointment, but any person appointed to fill a vacancy shall serve only for the unexpired portion of the term. All appointments to such board shall be finalized no later than the thirtieth day next following the effective date of this act.

Section 2. The board shall hold an organizational meeting within thirty days after the appointment of three of its members and shall elect a chairman and vice chairman from among its members. Such officers shall serve for such term as the authority by rule or regulation may prescribe. After the organizational meeting, the board shall meet at the time and place designated in the call. The chairman or a majority of its members may call a meeting of the board, and at least four meetings shall be held annually. The chairman shall preside at each meeting of the board. In his absence, the vice chairman shall preside. A majority of the members of the board shall constitute a quorum. Members of the board shall receive no compensation for their services, but they shall be entitled to reimbursement from the authority for their actual and necessary expense incurred in the performance of their official duties.

Section 3. Upon the organization of the Economic and Industrial Development Authority of Walker County said authority shall be constituted an instrumentality for the exercise of the public and essential governmental functions and the exercise of the powers conferred by this act, and the development of the county shall be deemed to be an essential governmental function of the authority.

Section 4. The authority may employ a director, who shall be its chief administrative officer and serve as secretary to the authority. The authority shall fix the salary of the director who shall serve at its pleasure. The director shall have authority to employ clerical and other assistants subject to the approval of the authority. The authority may require the director to be bonded for the faithful performance of his duties before he enters upon the discharge thereof.

Section 5. The authority or its agents and employees may (a) investigate, study and engage in basic research relative to the natural resources of land, water, minerals, and people in the state and apply its findings in efforts to promote a sound and balanced agricultural, industrial and economic development of the county; (b) cooperate with municipal, regional state or federal planning or other industrial development authorities; (c) publicize and advertise the industrial, commercial and agricultural resources and opportunities in the county; (d) collect, compile and distribute literature concerning the facilities, advantages and attractions of the county, the educational, historic, recreational and scenic places of interest within the county and the air, water and highway transportation facilities; (e) contract with other agencies, individuals or corporations to promote the purposes of this act, and expressly to contract with any municipality in the county, to act as the development agency for such municipality, and as such agency to exercise

all powers granted to municipal development agencies under the general laws of the state; (f) enter upon any land in the county, with consent of the owner, and make examinations and surveys and place and maintain necessary monuments and markings thereon; (g) accept gifts, grants, bequests or devises; (h) acquire land for industrial park development and construct buildings for lease, for industrial and/or economic development; and (i) issue bonds and incur debt for the purposes of carrying out the function of economic and industrial development of the county.

Section 6. The authority may establish and maintain offices within the State of Alabama, and the cost of securing, furnishing, equipping, lighting, heating and maintaining such office shall be a lawful charge against any funds appropriated for the use of the authority. The board of the authority may also establish special project committees from time to time, that shall focus their attention on solving special economic and industrial development problems that the authority may encounter. The board shall appoint either present or former citizens of the county to serve on such special committees and shall set guidelines, goals and deadlines for such committees.

Section 7. The ordinary and necessary operating expenses of the authority, including the expenses of its members and the salaries and expenses of employees of the authority shall be paid out of authority funds.

Section 8. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws or parts of laws which conflict with this act are hereby repealed.

Section 10. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved October 4, 1991

Time: 2:30 P.M.

Act No. 91-830

S. 9 — Senator Bolling

AN ACT

Relating to Fayette County, providing for the fee for the issuance of pistol permits, providing for the deposit of such fees in a fund known as the Sheriff's Pistol Permit Fund, providing for the use of such fund and repealing Act No. 81-1149, H. 110, 1981 Third Special Session.

Be It Enacted by the Legislature of Alabama:

Section 1. In Fayette County the fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Title 13A-11-75, Code of Alabama 1975, shall be \$20.00, which shall be collected by the sheriff.

Section 2. Any and all monies collected under Section 1 of this act shall be deposited by the sheriff of Fayette County in any bank located in Fayette County selected by the sheriff, into a fund known as the Sheriff's Pistol Permit Fund.

Section 3. The Sheriff's Pistol Permit Fund as provided in Section 2 of this act shall be drawn upon by the sheriff of Fayette County or his appointed agent and shall be used exclusively for law enforcement purposes in the public's interest and in the discharge of the sheriff's office as the sheriff sees fit.

Section 4. The establishment of the Sheriff's Pistol Permit Fund as provided in this act and the use of such funds shall in no way diminish or take the place of any other source of income established for the sheriff or the operation of his office.

Section 5. All laws or parts of laws in conflict with this act are hereby repealed and specifically Act No. 81-1149, H. 110, 1981 Third Special Session, is repealed.

Section 6. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved October 4, 1991

Time: 2:35 P.M.

Act No. 91-831

S.J.R. 32 — Senators Little, Amari, Bailey, Barron, Bedsole, Bennett, Bolling, Campbell, Corbett, deGraffenried, Denton, Dial, Dixon, Ellis, Figures, Floyd, Foshee, Ghee, Hale, Hilliard, Horn, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Owens, Parsons, Preuitt,

Sanders, B. Smith, J. Smith,
Waggoner, Wilson and
Windom

SENATE JOINT RESOLUTION

COMMENDING MORRIS W. SAVAGE OF JASPER,
ALABAMA.

WHEREAS, Morris W. Savage, a native of Oakman in Walker County, Alabama, attended Dora Elementary and High Schools, graduating in 1955; he received a B.S. degree from Auburn University in December 1958 in pre-law and the Doctor of Laws degree from the University of Virginia in 1962; and

WHEREAS, Mr. Savage, a partner in the law firm, Bankhead and Savage, in Jasper since 1963, is a member of the American Bar Association, the Alabama Bar Association, the Virginia Bar Association, the American Jurisprudence Society, and the National Association of Railroad Trial Counsel; and

WHEREAS, he is a member of the First United Methodist Church where he serves as a lay leader on its Board and as a District Conference Trustee; and

WHEREAS, he has served as President of the Auburn Alumni Association (1970-72) and is also Past President of the Jasper Rotary Club, the Musgrove Country Club, and the Walker County Bar Association; and

WHEREAS, Mr. Savage, who was appointed to the Board of Trustees of Auburn University in 1979 and served with distinction until 1990, has been one of the most loyal and dedicated supporters of the university for many years, and his advice, counsel and leadership have been valued by key administrators and several presidents of the university; and

WHEREAS, his strong interest in education and high moral standards have been greatly admired, and he has been a great credit to Auburn University; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do hereby commend Morris W. Savage of Jasper, Alabama, for distinguished service to Auburn University as a dedicated member of said institution's Board of Trustees, and do further direct that he receive a copy of this resolution of highest honor and esteem.

Approved October 4, 1991

Time: 2:40 P.M.

GOVERNOR HUNT'S
ADDRESS TO SPECIAL SESSION
SEPTEMBER 9, 1991

Mr. President, Mr. Speaker, distinguished members of the Legislature, members of the Governor's Cabinet, ladies and gentlemen.

Please accept on behalf of the people of Alabama my gratitude for returning to Montgomery today to continue work on the state's operating budget for this next year.

The people of Alabama recognize and understand the sacrifice that members of the Legislature make when you convene a special session. All of you have to be away from your full-time jobs and responsibilities at a time you didn't plan . . . and I just want all of you to know that I appreciate it and the work that many of you have done to prepare for this session.

I will keep my remarks brief because we all have a great deal of work to do.

We have come together to deal with a financial crisis. In 22 days . . . a new operating year will begin for the state government. Unless we pass a General Fund budget in special session . . . there will be no way to operate the state government beginning October First.

And unless we pass a better budget than was approved during the regular session . . . prisoners will be released from their cells early . . . state troopers will be pulled off the highways . . . and mental health centers will close.

As you know . . . the General Fund budget passed by the Legislature in regular session was vetoed because it would have severely underfunded several agencies of state government.

With that budget . . . we would simply have been unable to operate the state prison system and the Department of Public Safety at levels necessary to protect the safety of the people of Alabama.

Had I signed that budget into law . . . we would have had to shut down the equivalent of one prison and put several hundred criminals out on the street. We would have had new state trooper cars . . . but so little operations money that the Department of Public Safety would have been forced to cut highway patrols up to 50 percent. And we would have had to stop the commercial drivers' license program for truck drivers.

With that budget . . . we would have had to close mental health centers and lay off hundreds of employees of the Department of Mental Health and Mental Retardation.

And that budget contained no language authorizing the state to seek federal disaster assistance in times of floods, hurricanes or tornadoes.

I know that many legislators had virtually no chance to study that budget before you approved it during the final hours of the regular legislative session. Since then . . . many of you have told me that you agreed with my decision to veto the budget . . . and that you will work hard with us in this special session to properly fund those agencies of state government. I appreciate that support.

Others disagreed with my decision to exercise the veto . . . and that's fine too. This is a democracy . . . not a dictatorship . . . and the free exchange of ideas is absolutely critical to the health of what Abraham Lincoln called a government by the people and for the people.

I stand before you today ready for that free exchange of ideas . . . ready to share our thoughts with you on how to resolve this budget crisis . . . and eager to hear your suggestions.

We will present to you a plan to balance the General Fund at about the 830-Million dollar level.

With a still uncertain national economy . . . I believe that a major across-the-board tax increase at this point would be too great a burden for the consumers to bear.

But I think it should be clear to all of us that more revenue is needed if we are going to maintain the services of the state government.

Therefore we will propose an increase in the state tax on tobacco . . . which will raise money needed to support state services. We also will propose changes in the way the state handles abandoned property which also will put more money into the budget.

Our budget proposal will allow us to increase the funding for mental health, state prisons, state troopers, and for the board of pardons and parole . . . so that those properly released from our prisons can be more closely monitored.

Although I make to you today a definite budget recommendation and a funding proposal . . . I recognize that you too are sent to Montgomery by the people of Alabama to promote ideas for better government. Included in this group of public servants are some of the finest minds in Alabama . . . some of the boldest thinkers.

As we go forward together in this special session . . . please know that I seek and welcome your counsel. That is why I have set the agenda for this special session in such a way as to allow the Legislature the opportunity to suggest its own solutions to these financial problems . . . and to approve your own plans with a simple majority vote.

It has been a month since I vetoed the General Fund budget.

In that time . . . I could have criss-crossed the state of Alabama . . . gone into legislative districts and bashed away at many of you before your own people if I had wanted to blame this budget mess on someone.

But I haven't done that.

I could have put every cabinet member on the road to talk about that bad old Legislature to try to get folks mad at all of you.

But I haven't done that.

When two of your members sent a letter to all of you on August 23rd that was highly critical of me and our decision to veto the budget . . . I could have held a press conference on the steps of the State House and criticized them and many of you.

But I didn't do that.

I could have written the agenda for this special session to try to stop the Legislature from considering any bills other than the administration's program.

But I didn't do that.

We have made it a point not to say an unkind word about anyone in the Legislature over the past few weeks . . . and we have followed this policy for a reason.

There is no place in this State House for petty partisan political bickering. Harsh words will only harm all of us as we look to these very real issues of public health and safety.

A couple of weeks ago in my weekly radio address . . . I praised this legislative body for the quality of its brainpower and the resolve of most of its members to do what is just and right for all the people of Alabama.

I look around this room today and I see plenty of good people . . . dedicated people who are not in this for political gain or financial support or public power.

We come together in this special session for a common purpose: to pass a state operating budget that will fund the vital services of the government.

As we face this task . . . all of us need to take a deep breath and remember that we are not masters . . . but servants of the people who depend on these services.

The same people who elected all of you to the Legislature elected me to be governor . . . and those people expect us to work together . . . not to fuss and fight with one another.

As we get ready to work . . . it is a good time to remember who we are . . . and who we work for.

All of us have taken our share of criticism in the last few weeks . . . and I think most of us . . . if we are honest with ourselves . . . will admit that at least some of the criticism was deserved.

But now we have a real opportunity to earn and to protect the public trust.

I stand today ready, willing and able to work with you to pass a good budget of which we can all be proud.

I ask only that you join with me in a spirit of cooperation . . . and that we use our collective abilities to get the job done without need for ugly political rhetoric or ill will of any kind.

Over the next week we have a unique opportunity to at once solve the state's fiscal crisis and to reaffirm the people's trust in government.

Let us not miss this opportunity to reach both goals.

Thank you and God bless all of you.

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FIRST EXTRAORDINARY SESSION, 1991

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